Exhibit 3;

PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (TUCSON) (SD MSJ NO. 2)

Case No.: 4:22-md-03047-YGR MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

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Page 1
              UNITED STATES DISTRICT COURT
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             NORTHERN DISTRICT OF CALIFORNIA
 3
                                     CASE NO. 4:22-MD-03047-YGR
     IN RE: SOCIAL MEDIA
                           )
     ADOLESCENT
                                 )
 4
                                    MDL No. 3047
     ADDICTION/PERSONAL
                                 )
     INJURY PRODUCTS
 5
     LIABILITY LITIGATION
 6
     THIS DOCUMENT RELATES
 7
     TO:
     Tucson Unified School
 8
     Distriict v. Meta
 9
     Platforms Inc., et al.
     Case No. 4:24-CV-01382
10
11
12
13
14
                    Friday, May 23, 2025
15
16
            Video-Recorded Oral Deposition of
17
      SABRINA M. SALMON, PhD held at the JW
18
      Marriott Tucson Starr Pass Resort & Spa,
      Executive Boardroom 2, Tucson, Arizona,
      commencing at 8:09 a.m. MST on the above
19
      date, before Debra A. Dibble, Fellow of the
      Academy of Professional Reporters, Certified
20
      Court Reporter, Registered Diplomate
21
      Reporter, Certified Realtime Reporter.
22
23
                     GOLKOW - VERITEXT
24
              877.370.DEPS | fax 917.591.5672
                      deps@golkow.com
25
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	PEARANCES:	Page 2	1	IMDEV		Page
	VAGSTAFF & CARTMELL Y: MICHAEL P. CUTLER, ESQUIRE		1	INDEX		
3	mcutler@wcllp.com		2			
	740 Grand Avenue uite 300		3	APPEARANCES	2	
	ansas City, Missouri 64112 816) 701-1156		4	PROCEEDINGS	8	
	Counsel for Plaintiffs		5			
6 7 K	ING & SPALDING LLP		6	EXAMINATION O	F SABRINA M. SALMO	N, PHD:
В	Y: ALESSANDRA M GIVENS (ALLY), ESQUIRE (via Zoom)		7	BY MR. RICE	9	
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3 C	ounsel for Defendants Meta Platforms, Inc.		23			
	k/a Facebook, Inc.; Instagram, LLC; acebook Payments, Inc.; Facebook Operations, LLC; and		24			
5 5	iculus, Inc.		25			
		Page 3				Page
1			1	DEPO	SITION EXHIBITS	
	WILLIAMS & CONNOLLY LLP		2	NUMBER	DESCRIPTION	PAGE
2	BY: ARMANI J. MADISON, ESQUIRE (via Zoom)		3		Sabrina M. Salmon,	10
	amadison@wc.com		-			10
3	680 Maine Avenue SW		4		IA, PhD resume	
4	Washington, DC 20024 (202) 434-5405		5		Disability Categories	77
4	Counsel for Defendants Google LLC and YouTube		6		Social Worker-LCSV	V, 90
5	LLC		7	SM_TU	JSD_00511876-	
6	ELEC		8	SM_TU	JSD_00511877	
V	IDEOGRAPHER:		9	TUSD-Salmon-4	Social Worker -	97
7			10	Masters		
	DAN LAWLOR		11		JSD_00511878-	
8			12			
9					JSD_00511879	0.0
.0			13	TUSD-Salmon-5		98
1 2			14	Associa		
			15	SM_TU	JSD_00509984-	
3			16	SM_TU	JSD_00509986	
			17	TUSD-Salmon-6	Psychologist,	104
4					JSD_00558911-SM_	- •
.5			18	.7 V		
4 5 6			18			
.4 .5 .6 .7			19	TUSD_	00558912	110
4 .5 .6 .7 .8			19 20	TUSD_ TUSD-Salmon-7	00558912 Board Certified	110
4 5 6 7 8 9			19 20 21	TUSD_ TUSD-Salmon-7 Behavio	00558912 Board Certified or Analyst	110
4 5 6 7 8 9			19 20	TUSD_ TUSD-Salmon-7	00558912 Board Certified or Analyst	110
13 14 15 16 17 18 19 20 21			19 20 21	TUSD_ TUSD-Salmon-7 Behavio (BCBA	00558912 Board Certified or Analyst	110
4 5 6 7 8 9			19 20 21 22	TUSD_ TUSD-Salmon-7 Behavid (BCBA SM_TU	00558912 Board Certified or Analyst),	110

2 (Pages 2 - 5)

	Page 6		Page 8
1	TUSD-Salmon-8 Native spreadsheet 130	1	
$\frac{1}{2}$	TUSD-Salmon-9 Native PowerPoint 140	2	PROCEEDINGS
3	deck, SM_TUSD_00230762	3	May 23, 2025, 8:09 a.m. MST
4	TUSD-Salmon-10 Plaintiff's Second 147	4	
5	Amended Answers to	5	THE VIDEOGRAPHER: We are now
6	Defendants'	6	on the record. My name is Dan Lawlor.
7	Interrogatories to	7	I'm the videographer for Golkow, a
8	Tucson Unified School	8	Veritext division. Today's date is
9	District (Set 3)	9	May 23rd, 2025, and the time is
10	TUSD-Salmon-11 Declaration of 156	10	8:09 a.m.
11	Dr. Sabrina Salmon	11	This video deposition is being
12	TUSD-Salmon-12 Native spreadsheet 189	12	held in Tucson, Arizona, in the matter
13	TUSD-Salmon-13 E-mail(s), Subj: RE: 198	13	of Social Media/CA MDL 3047, Tucson
14	ESSER III Positions -	14	Unified School District versus Meta
15	12.6.22.xlsx,	15	Platforms, Inc., et al.
16	SM_TUSD_00441612-SM_	16	The deponent is Sabrina Salmon.
17	TUSD_00441613	17	Counsel will be noted on the
18	TUSD-Salmon-14 Native spreadsheet 199	18	stenographic record. The court
19	TUSD-Salmon-15 Tuesday, March 4, 2025 202	19	reporter is Debbie Dibble and will now
20	Agenda for Regular	20	swear in the witness.
21	Board Meeting	21	
22	TUSD-Salmon-16 3-4-2025 Exceptional 203	22	SABRINA M. SALMON, PhD,
23	Education Systems and	23	having been duly sworn,
24	Structures	24	testified as follows:
25		25	
١.	Page 7		Page 9
	TUSD-Salmon-17 Subj: Draft slides for 206	1	TWANTS A TRON
2	Budget meeting	2	EXAMINATION
3	1/19/23,	3	DV MD, DICE
4	SM_TUSD_00514528	4	BY MR. RICE:
5	TUSD-Salmon-18 Native spreadsheet 207 TUSD-Salmon-19 Audio file 229	5	Q. Good morning, Dr. Salmon.
6		6	A. Good morning.
7	TUSD-Salmon-20 Tuesday, February 23, 231	7 8	Q. Could you please state your name for the record?
8 9	2021 Agenda for Special Board Meeting	9	A. Sabrina Mccrimmon Salmon.
10	TUSD-Salmon-21 PowerPoint deck, 237	10	Q. And do you understand that
11	School Resource	11	you're testifying under oath today?
12	Officer (SRO) Program	12	A. Yes.
13	Committee	13	Q. Is there any reason you cannot
	Recommendation	14	give truthful and accurate testimony today?
14	Neconinendation		A. No.
14		15	
15	TUSD-Salmon-22 School Resource 238	15 16	
15 16	TUSD-Salmon-22 School Resource 238 Officer Student Survey	16	Q. Do you understand that if I say
15 16 17	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results	16 17	Q. Do you understand that if I say defendants platforms, I'm referring to
15 16 17 18	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results TUSD-Salmon-23 Q1 Student's School in 240	16 17 18	Q. Do you understand that if I say defendants platforms, I'm referring to Facebook, Instagram, TikTok, YouTube, and
15 16 17 18 19	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results	16 17 18 19	Q. Do you understand that if I say defendants platforms, I'm referring to Facebook, Instagram, TikTok, YouTube, and Snapchat?
15 16 17 18 19 20	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results TUSD-Salmon-23 Q1 Student's School in 240	16 17 18 19 20	Q. Do you understand that if I say defendants platforms, I'm referring to Facebook, Instagram, TikTok, YouTube, and Snapchat? A. Yes.
15 16 17 18 19 20 21	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results TUSD-Salmon-23 Q1 Student's School in 240	16 17 18 19 20 21	Q. Do you understand that if I say defendants platforms, I'm referring to Facebook, Instagram, TikTok, YouTube, and Snapchat? A. Yes. Q. Where are you employed?
15 16 17 18 19 20 21 22	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results TUSD-Salmon-23 Q1 Student's School in 240	16 17 18 19 20 21 22	Q. Do you understand that if I say defendants platforms, I'm referring to Facebook, Instagram, TikTok, YouTube, and Snapchat? A. Yes. Q. Where are you employed? A. Tucson Unified School District.
15 16 17 18 19 20 21	TUSD-Salmon-22 School Resource 238 Officer Student Survey Results TUSD-Salmon-23 Q1 Student's School in 240	16 17 18 19 20 21	Q. Do you understand that if I say defendants platforms, I'm referring to Facebook, Instagram, TikTok, YouTube, and Snapchat? A. Yes. Q. Where are you employed?

3 (Pages 6 - 9)

	Pena 10		Po	aa 12
1	Page 10 District, correct?	1	responsibilities as director of exceptional	ge 12
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	A. Correct.	2	education?	
3	Q. How long have you been employed	3	A. I am responsible for the free	
1	by Tucson Unified School District?	4	and appropriate public education of students	
5	•			
	A. Eight years. MR. RICE: Let's mark as	5	who have disabilities. I also support	
6		6	students who have 504 plans.	
7	Exhibit 1, tab 36. Exhibit 1 will be	7	I provide physical oversight of	
8	Dr. Salmon's resumé.	8	our federal grant as well as our maintenance	
9	(Whereupon, TUSD-Salmon-1,	9	and operation budget. I supervise a group of	
10	Sabrina M. Salmon, BSc., MA, PhD	10	assistant directors as well as some section	
11	resume, was marked for	11	leads and other support services within the	
12	identification.)	12	exceptional education department. I serve to	
13	BY MR. RICE:	13	make sure that we have adequate staffing for	
14	Q. Dr. Salmon, this is your	14	our students. I also provide support to	
15	resumé, correct?	15	regional superintendents as well as other	
16	A. Yes.	16	directors and principals in the Tucson	
17	Q. Everything in here is truthful?	17	Unified School District.	
18	[Document review.]	18	Q. In your role as senior director	
19	A. Yes.	19	of exceptional education, do you meet with	
20	BY MR. RICE:	20	students?	
21	Q. What is your current title at	21	A. Not usually.	
22	TUSD?	22	Q. When would you meet with	
23	A. Senior director of exceptional	23	students?	
24	education.	24	A. I would meet with students if	
25	Q. And when did you start in that	25	we were doing, like, a focus group and we	
	Page 11		Pag	ge 13
1	role?	1	wanted to get some information. I do make	
2	A. In that role, I started in July	2	classroom visits, so sometimes I check in and	
3	of 2020.	3	say hello to students.	
4	Q. And there was a period of time	4	In a previous role as an	
5	when you were interim director and then you	5	assistant director, I met with students, and	
6	became senior director, correct?	6	so I still have connections to them. Like	
7	A. Correct.	7	last week I went to a celebration for a	
8	Q. And who did you report to in	8	senior who was graduating, and so I did meet	
9	those roles?	9	with the students at that time.	
10	A. I reported to Dr. Flori Huitt,	10	Q. And in the sort of average day,	
11	assistant superintendent of curriculum	11	week, month, you don't regularly meet with	
12	instruction.	12	students?	
13	Q. And that was for the whole time	13	A. No.	
14	period of both the interim and senior	14	Q. Do you have any role with	
15	director?	15	respect to student discipline?	
16	A. Correct.	16	A. I do, if it's a student who has	
17	Q. Did your responsibilities	17	an IEP. And if that student is coming up for	
18	differ between the time you were interim	18	a manifestation determination, meaning the	
19	director and senior director?	19	student has been suspended for a total of ten	
20	A. There were some slight changes,	20	days or a current suspension would be a full	
21	mostly the same. I entered the role as	21	ten days or more, sometimes I am involved in	
22	interim director. And so during that year it	22	that process and making sure that students	
1	was certainly learning the new role. The	23	maintain their procedural safeguards and	
1 / 7	mas containing fourthing the flow 1010. The	1 23	mamam men procedurar sareguards and	
23		24	rights per IDEA regulations	
23 24 25	responsibilities stayed fairly consistent. Q. What are your current	24 25	rights per IDEA regulations. Sometimes we have situations	

4 (Pages 10 - 13)

			D 16
1	Page 14 where it's an unusual disciplinary action and	1	Page 16 A. Correct.
2	we're trying to figure out the best next	2	Q. Could you describe further what
3	steps or the best consequence, or we may need	3	you mean by nonviolent crisis intervention?
Ι.	to reconvene a team and see if this is the	4	
4		-	
5	best placement or if we need to have an IEP	5	is a training. It's a two-day training. So
6	meeting and change any services or placement	6	the first day is all proactive strategies.
7	for a student.	7	And so that's a lot of classroom management.
8	Q. Do you have any role with	8	It's noticing the signs if a student is maybe
9	respect to discipline for students who are	9	annoyed or if a student is starting to
10	not receiving special education services?	10	exhibit frustration.
11	A. No.	11	And so it talks a lot about
12	Q. Do you have any role with	12	talking down or maybe knowing when to be
13	respect to TUSD's budgets?	13	quiet or maybe offering a walk or water or
14	A. Yes.	14	some just self-calming strategies to teach
15	Q. What role is that?	15	the students and to cue them.
16	A. I supervise the IDEA budget and	16	And then the second day is if a
17	the M&O budgets for exceptional education.	17	student is escalated and there's danger to
18	Q. Other than the budgets for the	18	self or others, there are some strategies
19	IDA budget and the M&O budgets, do you have	19	that are approved by Crisis Prevention
20	any other budgets that you have	20	Institute to involve some physical
21	responsibilities for?	21	restrictions of the student.
22	A. No.	22	Q. And you said the second day, so
23	Q. Do you have any role with	23	you're referring to the second day of the
24	respect to school safety in the district?	24	training you provide?
25	A. I meet with school safety	25	A. The second day of the training,
	Page 15		Page 17
1	officers. We provide training on how to	1	yes. It's a two-day training.
2	respond to a student who may be escalated.	2	Q. And is this a training you
3	We provide training and support on students	3	regularly provide?
4	who have disabilities and how that disability	4	A. Yes, it's a regular training.
5	may manifest in an incident.	5	All of our exceptional education
6	We provide, like, nonviolent	6	paraprofessionals have to have this training
7	crisis intervention training from the Crisis	7	annually. Some of our teachers who work with
8	Prevention Institute for School Safety.	8	students who have emotional needs and
9	Sometimes if it isn't an exceptional	9	self-regulation difficulties participate in
10	education student who is identified in a	10	the training. We also have, like, bus
11	crisis or a school safety incident, I might	11	drivers, bus monitors, school safety officers
12	collaborate with the school safety director.	12	who participate in the training.
13	Q. What does it mean for a student	13	Q. Do you have a role with respect
14	to be escalated?	14	to the TUSD governing board?
15	A. Escalated means that there's	15	A. I do. I report to the
16	something that's happening and the student is	16	governing board on exceptional education
17	not able to have self regulation. And so the	17	matters. I give updates on any changes. If
18	escalation sometimes could be just internal	18	there's anything that we need governing board
19	where, like, there's rapid heart rate or	19	approval for, I present that information and
20	there's pacing. Sometimes it could be	20	either provide a presentation or be available
21	outward aggression. Sometimes it's verbal	21	to answer questions regarding that item.
			Q. Do you regularly attend board
22	aggression. Sometimes it's just completely	1 2.2	O. 120 YOU ICEUIAITY AIRCINI DOAIN
22 23	aggression. Sometimes it's just completely shutting down.	22 23	
23	shutting down.	23	meetings?
		l .	

5 (Pages 14 - 17)

	Page 18			Page 20
1	when you're not presenting?	1	correct?	-
2	A. Yes.	2	A. Correct.	
3	Q. Do you interact with students	3	Q. So what are your	
4	who are not receiving special education	4	responsibilities in that role?	
5	services?	5	A. I teach a marriage and family	
6	A. I do. Like if I'm going to a	6	class there, sometimes for adults who are in	
7	recognition event or just a school visit,	7	a program to get their license as a counselor	
8	assemblies. Sometimes I interact with	8	or a marriage and family therapist.	
9	parents and their child with a disability,	9	Q. In that role, you only teach	
10	and they may have a child without a	10	adults, correct?	
11	disability. Sometimes we interact with	11	A. Only adults, yes.	
12	students who are suspected of having a	12	Q. And then before becoming	
13	disability, and that's the pre-referral	13	interim director of exceptional education,	
14	referral process.	14	you were a principal in TUSD from 2019 to	
15	Q. Could you describe what you	15	2020?	
16	mean by pre-referral referral process?	16	A. Correct.	
17	A. Yes. So if a student is	17	Q. And you were the principal at	
18	suspected of having a disability, there is a	18	Mary Meredith school?	
19	referral that could happen from either the	19	A. Yes.	
20	school, oftentimes the student might be in	20	Q. What type of school is Mary	
21	our MTSS, our multi-tiered system of support	$\frac{20}{21}$	Meredith?	
22	process and there could be interventions for	$\begin{vmatrix} 21\\22\end{vmatrix}$	A. Mary Meredith is a school for	
23	academics. Sometimes a student might have a	23	students who have disabilities. All of them	
24 25	plan for attendance or behavioral support. During that time, some of our	24	have to have a primary eligibility of	
23	During that time, some of our	25	emotional disability in order to go to that	
1	Page 19 team members provide consultation. Once a	1	school.	Page 21
2	student gets to tier three, then there is a	$\frac{1}{2}$	Q. Other than Mary Meredith, does	
$\frac{2}{3}$	team determination on if the student should	3	TUSD have any other schools in the district	
١.	be referred for an evaluation for exceptional	١.	that are designed solely for students who	
5	education services.	4		
	education services.	5	hava disabilitias?	
. 6	O What paraentage of your	5	have disabilities?	
6	Q. What percentage of your	6	A. No. Mary Meredith is the only	
7	interactions with students are with students	6 7	A. No. Mary Meredith is the only one.	
7 8	interactions with students are with students who have disabilities or are suspected of	6 7 8	A. No. Mary Meredith is the only one.Q. When you were principal at Mary	
7 8 9	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not?	6 7 8 9	A. No. Mary Meredith is the only one.Q. When you were principal at Mary Meredith, what were your responsibilities?	
7 8 9 10	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form.	6 7 8 9 10	 A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for 	
7 8 9 10 11	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead.	6 7 8 9 10 11	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction,	
7 8 9 10 11 12	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that	6 7 8 9 10 11 12	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and	
7 8 9 10 11 12 13	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an	6 7 8 9 10 11 12 13	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related	
7 8 9 10 11 12 13 14	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure	6 7 8 9 10 11 12 13 14	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making	
7 8 9 10 11 12 13 14 15	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with	6 7 8 9 10 11 12 13 14 15	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district	
7 8 9 10 11 12 13 14 15 16	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with have a disability or a suspected disability.	6 7 8 9 10 11 12 13 14 15	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district initiatives and procedures when it comes to	
7 8 9 10 11 12 13 14 15 16 17	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with have a disability or a suspected disability. BY MR. RICE:	6 7 8 9 10 11 12 13 14 15 16 17	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district initiatives and procedures when it comes to professional development or physical	
7 8 9 10 11 12 13 14 15 16 17 18	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with have a disability or a suspected disability. BY MR. RICE: Q. Would you say the overwhelming	6 7 8 9 10 11 12 13 14 15 16 17 18	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district initiatives and procedures when it comes to professional development or physical oversight of any grants or funding that's	
7 8 9 10 11 12 13 14 15 16 17 18	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with have a disability or a suspected disability. BY MR. RICE: Q. Would you say the overwhelming majority?	6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district initiatives and procedures when it comes to professional development or physical oversight of any grants or funding that's allocated for the school.	
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with have a disability or a suspected disability. BY MR. RICE: Q. Would you say the overwhelming majority? MR. CUTLER: Object to form. A. I would say more than 50%, yes. BY MR. RICE: Q. According to your resumé,	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district initiatives and procedures when it comes to professional development or physical oversight of any grants or funding that's allocated for the school. Q. When you say paraprofessionals, who are you referring to there? A. Those are teaching assistants. Q. Anyone else in that category?	
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	interactions with students are with students who have disabilities or are suspected of having disabilities versus those who do not? MR. CUTLER: Object to form. Go ahead. A. Yeah, the percentage, that would be a little bit difficult to give an exact percentage. I would I know for sure the majority of the students I interact with have a disability or a suspected disability. BY MR. RICE: Q. Would you say the overwhelming majority? MR. CUTLER: Object to form. A. I would say more than 50%, yes. BY MR. RICE:	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. No. Mary Meredith is the only one. Q. When you were principal at Mary Meredith, what were your responsibilities? A. I was responsible for supporting the curriculum and instruction, for supervising teachers and paraprofessionals, as well as other related service providers. Responsible for making sure that we follow, like, all the district initiatives and procedures when it comes to professional development or physical oversight of any grants or funding that's allocated for the school. Q. When you say paraprofessionals, who are you referring to there? A. Those are teaching assistants.	

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	Page 22		Page 24
1	Q. As principal, how did you	1	
1	interact with the leadership of the	2	A. Correct. Yes.
3	exceptional education department?	3	Q. As principal, how frequently
4	MR. CUTLER: Object to form.	4	did you interact with students?
5	A. As principal, usually my	5	A. On a daily basis. I had a
6	day-to-day oversight was involved at the	6	schedule of going to visit each classroom.
7	school level. There was an assistant	7	
		/	Mary Meredith is a very small campus. At
8	director who was assigned to the school.	8	that time it was about 50 students enrolled.
9	There was also a regional superintendent who	9	It's a K-12 school. We typically have 3rd
10	was my supervisor as principal.	10	through 12th graders.
11	So if there were any	11	And so on a daily basis, I
12	exceptional education specific matters or	12	would go into the classrooms. I would start
13	needs that required additional resource	13	the day with greeting students when they
14	allocation or any other reasons that maybe a	14	entered the campus and then go in to just
15	concern wasn't resolved at the school level,	15	visit the classroom and see what was
16	then I would interact with leadership in	16	happening. And then at dismissal, I would be
17	exceptional education.	17	outside the facilitate at dismissals to the
18	I would report to my	18	buses or for parent pickup.
19	supervisor, the regional superintendent, if I	19	Q. Did you teach when you were at
20	had any questions or concerns or needed	20	Mary Meredith?
21	support with day-to-day operations of the	21	A. No, I did not teach.
22	school campus.	22	Q. So before you became principal
23	BY MR. RICE:	23	at Mary Meredith, you were the assistant
24	Q. When you were principal, did	24	director of exceptional education from 2016
	you have any responsibilities that extended	25	to 2019, correct?
	Page 23		Page 25
1	beyond Mary Meredith?	1	A. Correct.
2	MR. CUTLER: Object to form.	2	Q. And what were your
3	A. I was mostly responsible for	3	responsibilities as assistant director?
4	Mary Meredith, responsibilities as the	4	A. As assistant director, I was
5	principal.	5	responsible for a region of schools. A
6	BY MR. RICE:	_	
-		6	region is roughly 17 schools. And so I was
7	Q. Did you have any	/	the exceptional education contact, to be that
8	responsibilities that extended district wide?	8	content area expert for administrators,
9	A. Toward the end of my tenure as	9	teachers, related service providers such as
10	the principal, the exceptional education	10	speech and language pathologists,
11	director resigned. And so for the last two,	11	occupational therapists, school
12	two and a half months of principal, I did	12	psychologists, educational interpreters,
13	support some central level exceptional	13	social workers. So just supporting them with
14	education procedures.	14	any evaluation needs of students, any IEP
15	This was the time we were going	15	needs.
16	into COVID, so there were lots of questions	16	I also frequently served as a
	about what would learning look like for	17	district representative in IEP meetings. I
17	\mathcal{E}	18	assisted teams if they were having any
17 18	students with exceptional ed needs. And so I	10	
		19	student behavioral concerns with just
18	students with exceptional ed needs. And so I		student behavioral concerns with just navigating resources within the district or
18 19	students with exceptional ed needs. And so I did consult with, like, Dr. Flori Huitt,	19	-
18 19 20	students with exceptional ed needs. And so I did consult with, like, Dr. Flori Huitt, curriculum and instruction assistant superintendent and some of the other	19 20	navigating resources within the district or making recommendations for adjustments in the
18 19 20 21 22	students with exceptional ed needs. And so I did consult with, like, Dr. Flori Huitt, curriculum and instruction assistant superintendent and some of the other assistant directors in exceptional ed at that	19 20 21 22	navigating resources within the district or making recommendations for adjustments in the services to support students. I was also
18 19 20 21	students with exceptional ed needs. And so I did consult with, like, Dr. Flori Huitt, curriculum and instruction assistant superintendent and some of the other	19 20 21	navigating resources within the district or making recommendations for adjustments in the

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Page 28 Page 28 Page 28 Page 28				
2 'A. Region 4, Arcadia. 3 Q. And the regions for the 4 assistant directors of exceptional education, 5 are those the same regions as for the 6 regional assistant superintendents? 7 A. Correct. 8 Q. And while you were assistant 10 structure it does now? 11 A. Yes. It was the same 12 structure: 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students on a 17 weekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a need for maybe a 22 student to a different placement, I would go 23 in to do an observation or to interact with 25 the chart og to a meeting, I sometimes would 2 cover the classroom for the teacher to go do 3 that. 4 Q. Was assistant director of 5 exceptional education your first position at 6 TUSD? 7 A. Yes, it was. 8 Q. And so you've never taught at 9 TUSD, correct? 10 A. No, I have not. 11 Q. Before joining TUSD, you were a 12 program specialist at the Arizona Department 13 of Education from January 2014 to June 2016, 40 correct? 14 Q. What were your responsibilities 17 in that role? 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 exceptional student service point of contact 22 to assist schools with compliance matters, to 23 make sure that schools were completing 24 documents in a timely manner, to provide				
3 Q. And the regions for the 4 assistant directors of exceptional education, 5 are those the same regions as for the 6 regional assistant superintendents? 7 A. Correct. 8 Q. And while you were assistant 9 director, did the department have the same 0 structure if does now? 11 A. Yes. It was the same 12 structure. 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students? 16 A. I interacted with students on a 17 weekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a request to move a 22 student to a different placement, I would go 23 in to do an observation or to interact with 24 the student. 25 If there was a need for maybe a 1 reacher to go to a meeting, I sometimes would 2 cover the classroom for the teacher to go do 3 that. 4 Q. Was assistant director of 5 you supported in that role? 7 A. Yes. 8 Q. In that time as at the 9 drizona Department of Education, what types 10 communications would you have with TUSD? 11 MR. CUTLER: Object to form. 12 A. During that time, I was the 13 program specialist for TUSD, among other 14 eschools. 15 And so the types of 16 communication had to do with the compliance 17 reviewing timelines for initial evaluations 18 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 And so it would be 21 claucation sput files for students who met that 22 to exceptional education your first position at 23 tructure. 24 Q. Was assistant director of 25 exceptional education your first position at 26 TUSD? 27 A. Yes. 3 Q. And so you've never taught at 3 TUSD, correct? 4 Q. Was assistant director of 4 correct? 5 A. Correct. 6 Q. What were your responsibilities 17 in that role? 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 exceptional student service point of contact 22 to assist s	1	±	1	
4 sasistant directors of exceptional education, 5 are those the same regions as for the 6 regional assistant superintendents? 7 A. Correct. 8 Q. And while you were assistant 9 director, did the department have the same 12 structure. 13 Tax Yes. It was the same 14 structure it does now? 15 interact with students? 16 A. I interacted with students on a 17 weekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a request to move a 22 student to a different placement, I would go 23 in to do an observation or to interact with 24 the student. 25 If there was a need for maybe a 10 teacher to go to a meeting, I sometimes would 2 cover the classroom for the teacher to go do 3 that. 4 Q. Was assistant director of 5 exceptional education your first position at 6 TUSD? 7 A. Yes, it was. 8 Q. And so you've never taught at 7 TUSD, correct? 10 A. No, I have not. 11 Intart role? 12 tracher to go for a meeting, I sometimes would 2 cover the classroom for the teacher to go do 3 that. 4 Q. Was assistant director of 5 exceptional education your first position at 6 TUSD? 7 A. Yes, it was. 8 Q. In that time as at the 9 Arizonae Department of Education, what types 11 MR. CUTLER: Object to form. 12 program specialist of TUSD, among other 14 schools. 15 interact with students: 16 Communications would you have with TUSD? 17 the communication had to do with the compliance 18 programs in the types of 19 communication had to do with the compliance 19 process. There was an annual basis of 19 receiving timelines for intitial evaluations 20 and secondary transition components of IEPs. 20 And so it would be 21 receiving timelines for initial evaluations 22 receiving the files for students who met that 23 criteria, reviewing them with the Department 24 to Education's guidelines for compliance, 25 providing technical assistance for feedback 26 A. Let's see. I would have to go 27 back to know an	2	=	2	
5 are those the same regional assistant superintendents? 7 A. Correct. 8 Q. And while you were assistant of director, did the department have the same structure it does now? 10 structure it does now? 11 A. Yes. It was the same 12 structure. 13 Q. And a sasistant director of the exceptional education, how often did you initeract with students? 14 exceptional education, how often did you initeract with students? 15 A. I interacted with students on a three was asking for more curriculum support, if there were any behavior support, if there was a request to move a student to a different placement, I would go in to do an observation or to interact with a student. 25 If there was a need for maybe a 26 tacher to go to a meeting, I sometimes would a cover the classroom for the teacher to go do that. 26 tacher to go to a meeting, I sometimes would a full to a. A. No, I have not. 27 q. A. Yes. 28 Q. In that time as at the Arizona bepartment of Education, what types of communications would you have with TUSD? 31 mit of do an observation from the development and secondary transition components of IEPs. 32 and a secondary transition components of IEPs. 33 and secondary transition components of IEPs. 34 Q. Mad so you've never taught at transition components of IEPs. 35 and a secondary transition components of IEPs. 36 A. Gorrect. 37 a. Yes. 38 Q. In that time as at the Arizona department and the dos with the compliance and the schools. 38 A. A bris tacher to go do with the compliance and secondary transition components of IEPs. 39 Communication bad to do with the compliance and secondary transition components of IEPs. 30 Communication bad to to with the compliance and secondary transition components of IEPs. 31 transition to an observation or to interact with the student. 32 circleria, reviewing them with the Department and secondary transition components of IEPs. 30 Communication bad to with the compliance and secondary transition components of IEPs. 31 transition to an observation or to interact with the compliance a	3	=	3	=
6 regional assistant superintendents? A. Correct. 8 Q. And while you were assistant 9 director, did the department have the same 0 structure it does now? 11 A. Yes. It was the same 12 structure. 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students? 16 A. I interacted with students on a 17 weekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a request to move a 22 student to a different placement, I would go 23 in to do an observation or to interact with 25 If there was a need for maybe a 16 TUSD? 17 A. Yes. 18 Q. In that time as at the 9 Arizona Department of Education, what types 10 of communications would you have with TUSD? 11 M.R. CUTLER: Object to form. 12 A. During that time, I was the 13 program specialist for TUSD, among other 14 schools. 15 And so the types of 16 communication had to do with the compliance 17 process. There was an annual basis of 18 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 And so it would be 21 communication had to do with the compliance 19 progress in the tode of communication had to do with the compliance 19 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 And so it would be 21 communication had to do with the compliance 22 student to a different placement, I would go 23 in to do an observation or to interact with 24 the student. 25 If there was a need for maybe a 26 triefra, reviewing them with the Department 27 program specialist at the Arizona Department 28 program specialist at the Arizona Department 29 program specialist at the Arizona Department 20 of Andso you've never taught at 21 program specialist at the Arizona Department 22 of Andso you've included supporting a portfolio of districts throughout the state 29 of Andso you've included supporting a portfolio of districts	4		4	
7 A. Correct. 8 Q. And while you were assistant 9 director, did the department have the same 10 structure it does now? 11 A. Yes. It was the same 12 structure. 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students? 16 A. Interacted with students on a 17 yeekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a request to move a 22 student to a different placement, I would go 23 in to do an observation or to interact with 24 the student. 25 If there was a need for maybe a 10 cover the classroom for the teacher to go do 3 that. 4 Q. Was assistant director of 5 exceptional education your first position at 6 TUSD? 7 A. Yes. 8 Q. In that time as — at the 9 Arizona Department of Education, what types 10 of communications would you have with TUSD? 11 m. R. CUTLER. Object to form. 12 program specialist for TUSD, among other 14 schools. 15 And so the types of 16 communication had to do with the compliance 17 process. There was a nanual basis of 18 reviewing timelines for initial evaluations 18 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 And so it would be 21 communication had to do with the compliance 22 receiving the files for students who met that 23 criteria, reviewing them with the Department 24 of Education's guidelines for compliance, 25 providing technical assistance for feedback 26 TUSD? 27 A. Yes. 28 Q. And so you've never taught at 29 TUSD, correct? 20 A. No, I have not. 21 coprigram specialist at the Arizona Department 22 of Education form January 2014 to June 2016, 23 or Tustion And to do with the compliance 24 of Education's guidelines for compliance, 25 providing technical assistance for feedback 26 A. Let's see. I would have to go 27 back to know an exact number, but it would 28 roughly be about 20 districts did you 29 supervise overall in that role? 30 In	5	are those the same regions as for the	5	Q. Was TUSD one of the districts
8 Q. And while you were assistant 9 director, did the department have the same structure it does now? 11 A. Yes. It was the same 12 structure. 12 structure. 12 structure. 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students? 16 A. I interacted with students on a 17 weekly basis as assistant director. I would 30 often go in to observe a student, maybei f a 18 staff member was asking for more curriculum 30 support, if there were any behavior 20 support, if there were any behavior 21 teacher to go to a meeting, I sometimes would 22 cover the classroom for the teacher to go do 3 that. 1 teacher to go to a meeting, I sometimes would 2 cover the classroom for the teacher to go do 3 that. 1 TUSD, correct? 10 A. No, I have not. 11 Q. Before joining TUSD, you were a program specialist at the Arizona Department of Education, what types of 10 of communicating would to the with time, I was the 13 program specialist for TUSD, among other schools. 14 correct with 15 process. There was an annual basis of 16 communication had to do with the compliance 17 reviewing timelines for initial evaluations 18 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 And so it would be 21 receiving the files for students who met that 23 criteria, reviewing them with the Department 24 of Education's guidelines for compliance, 25 providing technical assistance for feedback 20 District. 3 BYMR. RICE: 4 Q. How many districts did you 20 District. 3 BYMR. RICE: 4 Q. How many districts did you 20 District. 3 BYMR. RICE: 4 Q. How many districts total. 10 Septial part of Education from January 2014 to June 2016, 20 C. How many districts total. 20 District. 20 Correct? 20 C. And so it was being the 20 Correct? 21 Correct? 21 Correct? 22 To assist schools with compliance matters, to 20 C. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 20 coordinator at the Oklahoma State Department 21 coordinato	6	regional assistant superintendents?	6	you supported in that role?
9 driector, did the department have the same 10 structure it does now? 11 A. Yes. It was the same 12 structure. 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students? 16 A. I interacted with students on a 17 weekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a request to move a 22 student to a different placement, I would go 23 in to do an observation or to interact with 24 the student. 25 If there was a need for maybe a Page 27 1 teacher to go to a meeting, I sometimes would 2 cover the classroom for the teacher to go do 3 that. 4 Q. Was assistant director of 5 exceptional education your first position at 6 TUSD? 7 A. Yes, it was. 8 Q. And so you've never taught at 7 TUSD. correct? 10 A. No, I have not. 11 Q. Before joining TUSD, you were a 12 program specialist for TUSD, anong other 14 schools. 15 make sure time, I would on 16 communication had to do with the compliance 17 programs, sealist time, I was the 18 reviewing timelines for initial evaluations 18 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 And so it would be 21 communicating that information. It would be 22 receiving the files for students who met that 23 criteria, reviewing them with the Department 24 to members in the Tucson Unified School 25 District. 26 Jistrict. 27 District. 28 Q. How many districts did you 29 So is it fair to say that you 29 So is it fair to say that you 20 So is it fair to say that you 21 to members in the apportance of the district to say. 21 to members in the rucson Unified School 22 District. 23 BY MR. RICE: 4 Q. How many districts did you 24 go documents in that role? 25 Let's see. I would have to go 26 A. Ves, it was. 27 Specialist for YusD, you were a 28 program specialist at the Arizona Department 29 of Education from January 2014 to June 2016, 20 (A. No, I have not.	7		7	A. Yes.
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11 A. Yes. It was the same 12 structure. 13 Q. And as assistant director of 14 exceptional education, how often did you 15 interact with students? 16 A. I interacted with students on a 17 weekly basis as assistant director. I would 18 often go in to observe a student, maybe if a 19 staff member was asking for more curriculum 20 support, if there were any behavior 21 challenges. If there was a request to move a 22 student to a different placement, I would go 23 in to do an observation or to interact with 24 the student. 25 If there was a need for maybe a 16 communication had to do with the compliance 17 process. There was an annual basis of 18 reviewing timelines for initial evaluations 19 and secondary transition components of IEPs. 20 Jan 4 so it would be 21 communicating that information. It would be 22 receiving the files for students who met that 23 criteria, reviewing them with the Department 24 the student. 25 providing technical assistance for feedback 26 receptional education, how often did you 27 receiving the files for students who met that 28 criteria, reviewing them with the Department 29 cover the classroom for the teacher to go do 3 that. 3 BY MR. RICE: 4 Q. Was assistant director of 4 Q. How many districts did you 5 supervise overall in that role? 5 A. Let's see. I would have to go 6 A. Let's see. I would have to go 7 back to know an exact number, but it would 8 roughly be about 20 districts total. 9 Q. So is it fair to say that you 10 program specialist at the Arizona Department 11 of Education from January 2014 to June 2016, 12 correct? 13 Q. In that time as program 14 specialist, did you ever interact with 15 to assist schools with compliance matters, to 16 Q. What were your responsibilities 16 A. No, I did not interact with 17 USD students in that role. I interact with 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 exceptional student service point of contact 22 to assist schools with compliance matters, to 23 mak	9		9	Arizona Department of Education, what types
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Q. And as assistant director of the exceptional education, how often did you to exceptional education with students to exceptional education your first position at to exceptional education from January 2014 to June 2016, and you've never taught at to exceptional education from January 2014 to June 2016, and you've never taught at in that role? A. No, I have not. Q. What were your responsibilities in that role? A. My role included supporting a portfolio of districts throughout the state of the exceptional education in a timely manner, to provide 13 program specialist for TUSD, and so the types of communicating had to do with the compliance of process. There was an annual basis of process. There was an	11	A. Yes. It was the same	11	MR. CUTLER: Object to form.
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3 that. 4 Q. Was assistant director of 5 exceptional education your first position at 6 TUSD? 6 A. Yes, it was. 7 Q. And so you've never taught at 9 TUSD, correct? 9 Q. So is it fair to say that you 10 A. No, I have not. 11 Q. Before joining TUSD, you were a 12 program specialist at the Arizona Department 13 of Education from January 2014 to June 2016, 14 correct? 15 A. Correct. 16 Q. What were your responsibilities 17 in that role? 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 that it was lof 20? 22 to assist schools with compliance matters, to 23 make sure that schools were completing 24 documents in a timely manner, to provide 25 supervise overall in that role? 4 Q. How many districts did you 5 supervise overall in that role? 5 supervise overall in that role? 6 A. Let's see. I would have to go 7 back to know an exact number, but it would 8 roughly be about 20 districts total. 9 Q. So is it fair to say that you 10 spent about 5% of your time on TUSD, then, if 11 it was I of 20? 12 A. Sure, that seems fair. 13 Q. In that time as program 14 specialist, did you ever interact with TUSD 15 students? 16 A. No, I did not interact with 17 TUSD students in that role. I interact with 18 central level leadership at the district 19 office. 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 documents in a timely manner, to provide	1		1	-
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5 exceptional education your first position at 6 TUSD? 6 A. Yes, it was. 7 A. Yes, it was. 8 Q. And so you've never taught at 9 TUSD, correct? 10 A. No, I have not. 11 Q. Before joining TUSD, you were a 12 program specialist at the Arizona Department 13 of Education from January 2014 to June 2016, 14 correct? 15 A. Correct. 16 Q. What were your responsibilities 17 in that role? 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 documents in a timely manner, to provide 2 special set, did you ever interact with Tusp office. 2 Q. And then from around 2 supervise overall in that role? 4 A. Let's see. I would have to go 7 back to know an exact number, but it would 8 roughly be about 20 districts total. 9 Q. So is it fair to say that you 10 spent about 5% of your time on TUSD, then, if 11 it was 1 of 20? 12 A. Sure, that seems fair. 13 Q. In that time as program 14 specialist, did you ever interact with TUSD 15 students? 16 A. No, I did not interact with 17 TUSD students in that role. I interact with 18 central level leadership at the district 19 office. 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 documents in a timely manner, to provide	3	that.	3	BY MR. RICE:
6 TUSD? 7 A. Yes, it was. 8 Q. And so you've never taught at 9 TUSD, correct? 9 Q. So is it fair to say that you 10 A. No, I have not. 11 Q. Before joining TUSD, you were a 12 program specialist at the Arizona Department 13 of Education from January 2014 to June 2016, 14 correct? 15 A. Correct. 16 Q. What were your responsibilities 17 in that role? 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 cassist schools with compliance matters, to 22 to assist schools with compliance matters, to 24 documents in a timely manner, to provide 6 A. Let's see. I would have to go 7 back to know an exact number, but it would 8 roughly be about 20 districts total. 9 Q. So is it fair to say that you 10 spent about 5% of your time on TUSD, then, if 11 it was 1 of 20? 12 A. Sure, that seems fair. 13 Q. In that time as program 14 specialist, did you ever interact with TUSD 15 A. No, I did not interact with 16 A. No, I did not interact with 17 TUSD students in that role. I interact with 18 central level leadership at the district 19 office. 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 of Education, correct?	4	Q. Was assistant director of	4	Q. How many districts did you
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8 Q. And so you've never taught at 9 TUSD, correct? 9 Q. So is it fair to say that you 10 A. No, I have not. 11 Q. Before joining TUSD, you were a 12 program specialist at the Arizona Department 13 of Education from January 2014 to June 2016, 14 correct? 15 A. Correct. 16 Q. What were your responsibilities 17 in that role? 18 A. My role included supporting a 19 portfolio of districts throughout the state 20 of Arizona. And so it was being the 21 to assist schools with compliance matters, to 22 to assist schools were completing 24 documents in a timely manner, to provide 8 roughly be about 20 districts total. 9 Q. So is it fair to say that you 10 spent about 5% of your time on TUSD, then, if 11 it was 1 of 20? 12 A. Sure, that seems fair. 13 Q. In that time as program 14 specialist, did you ever interact with TUSD 15 students? 16 A. No, I did not interact with 17 TUSD students in that role. I interact with 18 central level leadership at the district 19 office. 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 of Education, correct?	6	TUSD?	6	A. Let's see. I would have to go
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program specialist at the Arizona Department of Education from January 2014 to June 2016, correct? A. Correct. Q. What were your responsibilities of that role? A. My role included supporting a portfolio of districts throughout the state of Arizona. And so it was being the cexceptional student service point of contact and the Arizona Department correct. A. Sure, that seems fair. A. Sure, that seems fair. A. No, I did you ever interact with TUSD students? A. No, I did not interact with TUSD students in that role. I interact with seems fair. A. No, I did not interact with office. Q. And then from around February 2013 to November 2013, you were a special education professional development and the Oklahoma State Department documents in a timely manner, to provide	10	A. No, I have not.	10	spent about 5% of your time on TUSD, then, if
of Education from January 2014 to June 2016, Correct? A. Correct. Q. What were your responsibilities Tush students? A. My role included supporting a portfolio of districts throughout the state of Arizona. And so it was being the exceptional student service point of contact consists schools with compliance matters, to make sure that schools were completing and Q. In that time as program 14 specialist, did you ever interact with TUSD 15 students? 16 A. No, I did not interact with 17 TUSD students in that role. I interact with 18 central level leadership at the district 19 office. 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 documents in a timely manner, to provide	11	Q. Before joining TUSD, you were a	11	it was 1 of 20?
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A. My role included supporting a portfolio of districts throughout the state 19 office. 20 of Arizona. And so it was being the 20 Q. And then from around 21 exceptional student service point of contact 22 to assist schools with compliance matters, to 23 make sure that schools were completing 24 documents in a timely manner, to provide 18 central level leadership at the district 19 office. 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 of Education, correct?	16	Q. What were your responsibilities	16	A. No, I did not interact with
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20 of Arizona. And so it was being the 21 exceptional student service point of contact 22 to assist schools with compliance matters, to 23 make sure that schools were completing 24 documents in a timely manner, to provide 20 Q. And then from around 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 of Education, correct?	18	A. My role included supporting a	18	central level leadership at the district
21 exceptional student service point of contact 22 to assist schools with compliance matters, to 23 make sure that schools were completing 24 documents in a timely manner, to provide 21 February 2013 to November 2013, you were a 22 special education professional development 23 coordinator at the Oklahoma State Department 24 of Education, correct?	19	portfolio of districts throughout the state	19	office.
22 to assist schools with compliance matters, to 23 make sure that schools were completing 24 documents in a timely manner, to provide 22 special education professional development 23 coordinator at the Oklahoma State Department 24 of Education, correct?	20	of Arizona. And so it was being the	20	Q. And then from around
23 make sure that schools were completing 24 documents in a timely manner, to provide 23 coordinator at the Oklahoma State Department 24 of Education, correct?	21	exceptional student service point of contact	21	February 2013 to November 2013, you were a
24 documents in a timely manner, to provide 24 of Education, correct?	22	to assist schools with compliance matters, to	22	special education professional development
	23	make sure that schools were completing	23	
25 technical assistance if schools needed 25 A. Correct.	24			
	25	technical assistance if schools needed	25	A. Correct.

8 (Pages 26 - 29)

			P. 90
1	Page 2 Q. And what were your	$0 \mid 1$	And so it would be asking a lot
2	Q. And what were your responsibilities in that role?	$\frac{1}{2}$	And so it would be asking a lot of questions about what's going on and coming
3	A. I had a similar role as to the	$\frac{1}{3}$	up with the DSM diagnosis and a treatment
		l .	-
4	one in the Arizona State Department of	4	plan, and then handing that individual off to
5	Education, although in Oklahoma, there is	5	a therapist who would go back and provide the
6	more standardization in, like, the software	6	1 2
7	or the process for compliance. And so there	7	Q. And you were an independent
8	was less travel to school districts.	8	contractor in that role, correct?
9	I did a lot of, like, desk	9	A. Correct.
10	audits of their files and provided technical	10	71
11	assistance. I provided professional	11	you work with at that time?
12	development. I taught a course for aspiring	12	A. I worked with adults and
13	educators who wanted to become special	13	children at that time.
14	educators. And so just help the projects,	14	Q. For the children, did you work
15	help with updating curriculum, reviewing	15	with schools?
16	materials for students with special needs.	16	A. I did not work with schools. I
17	Q. And then before that, from	17	worked with children who were maybe in some
18	March 2011 to February 2013, you were a	18	type of an academic setting such as like a
19	clinical director at SoonerCare Contractor in	19	before or after-school program, not at a
20	Oklahoma, correct?	20	school setting. And I also worked with them,
21	A. Correct.	21	like, at home after school or during school
22	Q. What is SoonerCare?	22	breaks.
23	A. SoonerCare is the Medicaid	23	Q. And then from 2011 to 2012, you
24	program through the State of Oklahoma. So	24	were a clinical administrator at Integrative
25	it's for individuals who qualify for Medicaid	25	Focus, correct?
	Page 3	1	Page 33
1	to submit for any kind of medical claims or	1	A. Correct.
2	processes.	2	
3	Q. And what were your	3	A. Is it was a start-up behavioral
4	responsibilities at SoonerCare?	4	health organization that provided services to
5	A. So my responsibility was acting	5	adults and children. It was clinical
6	as a therapist, a clinician. So I did intake	6	, 12
7	evaluations for students and adults and	7	management, such as accessing resources in
8	families. I also provided billing to	8	the community.
9	SoonerCare, which is the Medicaid program.	9	Q. What were your responsibilities
10	I assisted with some oversight		there?
11	of other clinicians and case managers in the	11	A. So my responsibility was to
12	organization. I provided counseling, some	12	help the company with all the start-up
13	individual, with both adults and children, as	13	processes that needed to be reported to the
14	well as some group counseling sessions in	14	state for licensure and for the chartering of
15	education.	15	the company. I also provided some therapy
16	Q. Prior to that, from 2011 to	16	work to some adults, as well as some
17	2013, you were an independent intake	17	children. I supervised some case managers
18	therapist and clinical director, correct?	18	who were directly supporting children.
19	A. Correct.	19	Q. And then from 2008 to 2010, you
20	Q. And could you explain what that	20	were a special education teacher in Oklahoma.
21	role entailed?	21	Correct?
22	A. And so that role entailed just	22	A. Correct.
23	doing intakes only. So it would be an	23	Q. And what grade levels did you
20	- · · · · · · · · · · · · · · · · · · ·	1	- · · · · · · · · · · · · · · · · · · ·
24	individual who presented with some type of a	24	teach?
	individual who presented with some type of a mental health or a behavior health concern.	24 25	teach? A. It was high school, so 9th

9 (Pages 30 - 33)

		Dog 24		Dogs 26
1	through 12th grade.	Page 34	1	Page 36 A. I taught kindergarten, so age 5
2	Q. And did you teach particular		2	up to age 12.
3	subjects?		3	Q. And then from 2004 to 2005, you
4	A. I did not necessarily teach		4	were a special education coordinator at
5	particular subjects. I was considered to be,		5	National Heritage Academies in Dayton, Ohio,
6	like, an indirect service provider or		6	correct?
7	resource teacher. And so I supported high		7	A. Correct.
8	school students based on their IEP goals in		8	Q. And what were your
9	whatever subject areas that they needed		9	responsibilities in that role?
				A. I was considered a resource
10	direct report.		10	
11	I did sometimes co-teach in		11	teacher, so I supported students from
12	English language arts, as being a certified		12	preschool through 7th grade. And so, again,
13	teacher in English language arts at the		13	that was working on the IEP goals per their
14	secondary level.		14	IEPs. And I supervised some
15	Q. And was 2010 the last time you		15	paraprofessionals, so teaching assistants. I
16	taught secondary school students?		16	provided some follow-up instruction based on
17	A. Yes, secondary high school		17	these IEP goals.
18	outside of university level students.		18	There were two of us, so I was
19	Q. And then from 2007 to 2008, you		19	the lead teacher of two, so if there were any
20	were an academic tutor in Spain?		20	special education specific questions or job
21	A. Correct.		21	roles. I also served on the leadership team
22	Q. And what age of students did		22	of that school.
23	you work with in that role?		23	Q. Other than the roles we've
24	A. I worked with school-aged		24	discussed, and they're listed on your resumé,
	students ages, like, 5 to 12.		25	have you held any other roles in education?
		Page 35		Page 37
1	Q. And was that role focused on	I ugo so	1	A. No other formal roles in
2	special education students or on general		2	education.
3	education students?		3	Q. What informal roles have you
4	A. That role was focused on		4	held in education?
5	general education students.		5	A. I've been, like, an intern,
6	Q. And the primary subject matter		6	like, a student teacher. So I've done that
7	was learning the English language and		7	for two different locations in Rock Hill,
8	computer skills?		8	South Carolina.
9	A. Yes. English language,		9	
10	reading, and computer skills.		10	Q. And then have you ever been a school administrator for a general education
11	Q. And then before that, from 2006		11	school?
	_		12	
12	to 2007, you taught at a Department of			A. No, I have not.
13	Defense school in Spain?		13	Q. And then, Dr. Salmon, you're
14	A. Correct.		14	not a medical doctor, correct?
15	Q. And what ages did you teach		15	A. Correct.
16	there?		16	Q. And you're not a certified
17	A. It was a 2nd and 3rd grade		17	psychologist, correct?
18	combination classroom, and so teaching all		18	A. Correct.
19	subject areas for 2nd and 3rd graders.		19	Q. You're not a specialist in
	Q. And before that, from 2005 to		20	addiction, correct?
20			21	A. Correct.
21	2006, you were an English teacher in Korea,			0 37 1 1111
21 22	correct?		22	Q. You're not a specialist in
21 22 23	correct? A. Correct.		23	mental health, correct?
21 22 23 24	correct?			

10 (Pages 34 - 37)

	Page 38		Page 40
1	training in mental health?	1	A. No, I have not.
2	A. I'm a licensed marriage and	2	Q. What did you do to prepare for
3	family therapist, and so that includes, like,	3	this deposition today?
4	diagnosis, treatment plans, providing	4	A. I worked with legal counsel.
5	counseling and services for individuals with	5	Q. Did you meet with anyone other
6	a variety of needs, supporting and providing	6	than counsel?
7	those services for children and adults, as	7	A. No, I did not.
8	well as families.	8	Q. Did you review any documents?
9	Q. Did your training in marriage	9	A. I reviewed my deposition and my
10	and family therapy include let me rephrase	10	resumé.
11	that.	11	Q. When you refer to your
12	What training in diagnosis did	12	deposition, are you referring to the Notice
13	you receive in your masters in marriage and	13	of Deposition in this case?
14	family therapy?	14	A. The Notice of Deposition, yes.
15	A. I received training on how to	15	Q. Did you take any notes during
16	use the DSM to look at presenting symptoms	16	preparation?
17	and to rule out other symptoms to determine a	17	A. No, I did not.
18	diagnosis based on that information.	18	Q. Have you brought any notes or
19	Q. And what training did you	19	documents with you today?
20	receive in providing treatment plans?	20	A. No, I have not.
21	A. There was also a course in the	21	Q. Dr. Salmon, do you ever use
22	supervision in the development of treatment	22	text messaging for work communication?
23	plans for individuals who did meet criteria	23	A. Yes, I do.
24	for a DSM diagnosis.	24	Q. And who do you communicate via
25	Q. Did your training in marriage	25	text messaging at work?
	Page 39		Page 41
1	and family therapy include anything related	1	A. Other assistant directors,
2	to social media?	2	section leads such as our lead speech and
3	A. No, it did not.	3	language pathologist or our lead school
4	Q. You're not a statistician,	4	psychologist, other directors, my supervisor.
5	correct, Dr. Salmon?	5	Q. And your supervisor is Dr.
6	A. Correct.	6	Huitt, the superintendent for core
7	Q. And you're not a specialist in	7	curriculum?
8	data anaclitics, correct?	8	A. Correct.
9	A. Correct.	9	Q. Did anyone ever instruct you to
10	Q. Have you ever been previously	10	preserve text messages for this litigation?
11	deposed?	11	A. No, they didn't.
	_		
12	A. For special education matters,	12	Q. Have you ever used your
13	A. For special education matters, yes.	13	personal e-mail address for work
13 14	A. For special education matters, yes. Q. How many times?	13 14	personal e-mail address for work communication?
13 14 15	A. For special education matters,yes.Q. How many times?A. I would say roughly three to	13 14 15	personal e-mail address for work communication? A. No, I do not.
13 14 15 16	A. For special education matters, yes. Q. How many times? A. I would say roughly three to four times.	13 14 15 16	personal e-mail address for work communication? A. No, I do not. Q. Do you keep any notes?
13 14 15 16 17	A. For special education matters, yes. Q. How many times? A. I would say roughly three to four times. Q. And could you just generally	13 14 15 16 17	personal e-mail address for work communication? A. No, I do not. Q. Do you keep any notes? MR. CUTLER: Object to form.
13 14 15 16 17 18	A. For special education matters, yes. Q. How many times? A. I would say roughly three to four times. Q. And could you just generally describe the types of matters you've been	13 14 15 16 17 18	personal e-mail address for work communication? A. No, I do not. Q. Do you keep any notes? MR. CUTLER: Object to form. A. Sometimes if I'm in a meeting
13 14 15 16 17 18 19	A. For special education matters, yes. Q. How many times? A. I would say roughly three to four times. Q. And could you just generally describe the types of matters you've been deposed in?	13 14 15 16 17 18 19	personal e-mail address for work communication? A. No, I do not. Q. Do you keep any notes? MR. CUTLER: Object to form. A. Sometimes if I'm in a meeting or on a call I may jot down notes in a
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	Page 42			Page 44
1	Q. And for the notes you keep in a	1	Q. When you say preventive	rage 44
2	Word document, you're referring to a	2	strategies, what are you referring to there?	
3	Microsoft Word document?	3	A. I'm referring to like if a	
4	A. Yes, Microsoft Word.	4	student is experiencing maybe signs of a	
5	Q. Where is that saved?	5	learning loss, if they're not meeting the	
6	A. That's saved on my OneDrive.	6	markers when it comes to the progression of	
7	•	7	the curriculum or standards.	
8	Q. Did anyone ever instruct you to preserve your notes for this litigation?	8	So in our multi-tiered system	
9	A. No, they did not.	9	of support, we have, like, tier 1, 2, and 3.	
10	Q. Do you use Microsoft Teams for	10	So once we get to tier 3, if a student is	
11	work?	11	still struggling academically or	
12	A. Yes, I do.	12	behaviorally, sometimes our exceptional	
13	Q. Do you use the Microsoft Teams	13	education staff members serve as consultants	
14	chat function?	14	to the gen ed setting for those students.	
15	A. Not frequently. I've used it	15	Q. What are the three tiers?	
16	before. It's not a common occurrence.	16	A. So tier 1, that's kind of the	
17	Q. I'm going to switch gears and	17	whole instruction for everybody. That's the	
18	discuss the exceptional education department	18	baseline that all students get.	
19	generally and learn a little more about the	19	Tier 2 is when the students are	
20	department?	20	not making progress or they're missing some	
$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$	A. Okay.	21	learning skills, and so they do get limited	
22	Q. What is the exceptional	22	intervention and support.	
23	education department at TUSD?	23	Tier 3 comes after tier 2, if	
24	A. So the exceptional education is	24	students have still not demonstrated success,	
1	for students who qualify for special	25	so then they get additional interventions and	
	Page 43		get additional interventions and	D 45
1	<u> </u>	1	services and support.	Page 45
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	education. So they qualify under 1 of the 13	1 2	services and support. O. And those tiers apply to all	Page 45
2	education. So they qualify under 1 of the 13 disability categories, which means if they		Q. And those tiers apply to all	Page 45
2 3	education. So they qualify under 1 of the 13 disability categories, which means if they have a disability, they require specially	2	Q. And those tiers apply to all students in the district, not just special	Page 45
2 3 4	education. So they qualify under 1 of the 13 disability categories, which means if they have a disability, they require specially designed instruction to have access to the	2 3	Q. And those tiers apply to all students in the district, not just special education students?	Page 45
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	education. So they qualify under 1 of the 13 disability categories, which means if they have a disability, they require specially designed instruction to have access to the general education setting. It entails about 6300 students within the TUSD district. It's about another 2,000 students in the community who qualify for an educational disability. And so it just involves making sure that there are accommodations or modifications to the curriculum, they're related services that give them access to the curriculum. Q. Does the exceptional education department serve general education students? A. Not usually. There sometimes is some preventive strategies. Maybe there could be some whole group instruction going on in a classroom that's based on, like, reading ability or math ability, and so the exceptional education teacher may provide some instruction that way. That specialized	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. And those tiers apply to all students in the district, not just special education students? A. Correct, all students. Q. And so if a student has a qualifying disability and receives special education services, do they still fall within these three tiers? A. They could, because their special education services could be, maybe it's for a health concern, maybe an emotional concern. Maybe it's in math, and so then if they exhibit, like, a need in language arts or there's something else that's not currently identified, could be an attendance concern or maybe a behavior concern that's not already addressed in their IEP, then they could fall in the tiers for that level of support. Q. And how do the three tiers relate to the multi-tiered system of support in the district?	rage 45

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1	Page 46		Page 48
1	three tiers are how it's dissected or	1	Q. So what is the IDEA?
2	divided, based on student need.	$\frac{1}{2}$	A. So the IDEA is the regulation
3	Q. And who is responsible for	3	that was enacted in 1974 that provided free
	administering the multi-tier system of	١.	<u> •</u>
4 5	·	4	and appropriate public education for students
5	support system? A. We have MTSS facilitators at		with disabilities, the regulation and the
		6	\mathcal{E}
7	all of our campuses, and so those are the individuals who kind of monitor what's	7	exceptional education service programs in
8		8	cam on all public schools, and provide
9	happening. The actual intervention is done	9	that support in that access to the general
10	by, like, we have math interventionists, we	10	education setting.
11	have reading interventionists. Sometimes we	11	Q. What does the IDEA require of
12	have teachers who are providing that support	12	schools?
13	or paraprofessionals could provide some of	13	A. It requires that schools
14	that support.	14	identify students who have a disability and
15	Q. And who do the MTSS	15	then provide services based on those areas of
16	facilitators report to?	16	need.
17	A. They report to the senior	17	Q. And is complying with the IDEA
18	director of curriculum and instruction. And	18	one of the responsibilities of the
19	we also have a lead MTSS program manager who	19	exceptional education department?
20	supports them as well.	20	A. Yes, it is.
21	On a daily basis, they're	21	Q. Does the exceptional education
22	housed at the school site, so the principals	22	department also need to comply with other
23	are their direct evaluators.	23	laws?
24	Q. And who is the current senior	24	MR. CUTLER: Object to form.
25	director of curriculum and instruction?	25	A. Well, of course, the IDEA is
	Page 47		Page 49
1	A. Heidi Aranda.	1	the primary exceptional education law.
2	Q. How do the MTSS facilitators	2	Certainly, we apply with general education
3	monitor students on campus?	3	laws as well.
4	MR. CUTLER: Object to form.	4	BY MR. RICE:
5	A. I don't work directly with the		DI WIK. KICE.
	71. I don't work directly with the	5	Q. Are there other laws dealing
6	MTSS facilitators. I collaborate with them	5 6	
6 7	· · · · · · · · · · · · · · · · · · ·		Q. Are there other laws dealing
l _	MTSS facilitators. I collaborate with them	6	Q. Are there other laws dealing with special education in particular that the
7	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of	6 7	Q. Are there other laws dealing with special education in particular that the department needs to comply with?
7 8	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of our students have MTSS plans, and so the MTSS	6 7 8	Q. Are there other laws dealing with special education in particular that the department needs to comply with? MR. CUTLER: Object to form.
7 8 9	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of our students have MTSS plans, and so the MTSS facilitators are responsible for the	6 7 8 9	Q. Are there other laws dealing with special education in particular that the department needs to comply with? MR. CUTLER: Object to form. A. I'm wondering, are you meaning,
7 8 9 10	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of our students have MTSS plans, and so the MTSS facilitators are responsible for the oversight of the plans and monitoring the	6 7 8 9 10	Q. Are there other laws dealing with special education in particular that the department needs to comply with? MR. CUTLER: Object to form. A. I'm wondering, are you meaning, like, 504?
7 8 9 10 11	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of our students have MTSS plans, and so the MTSS facilitators are responsible for the oversight of the plans and monitoring the progress of the students and coming up with	6 7 8 9 10 11	Q. Are there other laws dealing with special education in particular that the department needs to comply with? MR. CUTLER: Object to form. A. I'm wondering, are you meaning, like, 504? BY MR. RICE:
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7 8 9 10 11 12 13	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of our students have MTSS plans, and so the MTSS facilitators are responsible for the oversight of the plans and monitoring the progress of the students and coming up with new interventions if students need additional support. Sometimes we get referrals for	6 7 8 9 10 11 12 13	Q. Are there other laws dealing with special education in particular that the department needs to comply with? MR. CUTLER: Object to form. A. I'm wondering, are you meaning, like, 504? BY MR. RICE: Q. Yes. A. So we also, in TUSD, provide
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MTSS facilitators. I collaborate with them sometimes. My understanding is, like, all of our students have MTSS plans, and so the MTSS facilitators are responsible for the oversight of the plans and monitoring the progress of the students and coming up with new interventions if students need additional support. Sometimes we get referrals for special education evaluation from our MTSS facilitators. BY MR. RICE: Q. Early in your testimony you mentioned the IDA, correct? A. IDEA. Q. IDEA. Sorry. A. Yes. Q. And that stands for Individuals	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Are there other laws dealing with special education in particular that the department needs to comply with? MR. CUTLER: Object to form. A. I'm wondering, are you meaning, like, 504? BY MR. RICE: Q. Yes. A. So we also, in TUSD, provide supervision and oversight of 504 plans. Q. And by 504, you're referring to Section 504 of the Rehabilitation Act, correct? A. Correct. Q. And what does Section 504 require of TUSD? A. Section 504 also requires that we provide accommodations for students who

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	Page 50	1	Page 52
1	health and well-being is one of those areas.	1	3
2	So in TUSD, we have 504 plans	2	concludes the student has a qualifying
3	for students, and then we provide those	3	disability?
4	accommodations for them to have that access	4	A. Yes. We track that and note it
5	to the general curriculum.	5	has do not qualify. So our abbreviation is
6	Q. Does the exceptional education	6	DNQ.
7	department serve students of all ages?	7	Q. And what type of information on
8	A. Yes, we serve students from age	8	referrals is stored in Synergy?
9	3 to 21.	9	MR. CUTLER: Object to form.
10	Q. And what counts as a qualifying	10	A. So in our Synergy database, we
11	disability for the department?	11	have information on the presenting concerns.
12	A. And so they're stated	12	We have information on the areas of the
13	identified disability categories for	13	suspected disability. We have information on
14	students. And so we have assessments that	14	any assessments that were given.
15	look at cognitive ability. We look at	15	Once there is an evaluation, we
16	achievement or academic ability. We look at	16	have that data. We have the areas of
17	getting medical or health needs. We look at,	17	disability that were suspected and ruled out.
18	like, any visual or hearing needs of	18	And then we have the areas of disability that
19	students. We look at any speech and language	19	were confirmed if a student does qualify.
20	or communication needs. We look at sensory,	20	BY MR. RICE:
21	emotional, and behavior needs as well.	21	Q. Is the information on referrals
22	Q. I want to make sure I	22	categorized in any type of aggregate manner?
23	understand the department functions. Earlier	23	MR. CUTLER: Object to form.
24	you mentioned one of the ways students are	24	A. The information just goes into
25	referred to the department is via MTSS,	25	the database by whoever is entering, whether
_	Page 51		Page 53
1	correct?	1	it's the school psychologist or, like, a
2	A. Correct.	2	teacher or speech and language pathologist.
3	Q. What are the other ways	3	I do know Synergy has the
4	students might be referred to the exceptional	4	ability to run queries or reports based on
5	education department?	5	different data points.
6	A. Sure. So referrals can come	6	BY MR. RICE:
7	from parents. Referrals can come from	7	Q. If you wanted to search in
8	physicians. Could come from medical doctor.		Synergy for the reasons students had been
	Could come from another therapist such as a		referred to the district, could you do that?
l .	=	10	A. I could search for the area of
10	1 1 2		
11	therapist, an occupational therapist, a	11	suspected disability, yes, and get a report from that.
12	1 / 1 3	12	
13	community member. Also, a teacher.	13	Q. And the area of suspected
14	Like, pretty much anyone who	14	disability, that corresponds to the qualified
15	has knowledge of a student or a student's	15	disabilities list we talked about earlier,
16	needs or limitations could make a referral.	16	correct?
17	Q. Does the department track the	17	A. Correct.
18	referrals it receives?	18	Q. You mentioned presenting
19	A. Yes.	19	concerns information is stored in Synergy,
20	Q. Where is that tracked	20	correct?
21	information stored?	21	A. Correct.
22	A. That information is tracked in	22	Q. Is that information categorized
23	our Synergy database.	23	in any type of way?
24	Q. And does the department track	24	MR. CUTLER: Object to form.
25	referrals even if that referral does not	25	A. Typically there's a narrative

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	Page 54		Page 56
1	form, so the reason for the referral. So the	1	information in Synergy?
2	reason for the referral could be maybe	2	MR. CUTLER: Object to form.
3	there's some data points to share, like,	3	A. That would be in the narrative
4	students are in the 2nd grade and then this	4	information if that were there, yes.
5	students are in the 2nd grade and then this student, for example, maybe is at the	5	BY MR. RICE:
6	pre-emergent area for reading or is having	6	Q. There's no way you could run a
7	trouble with number concepts.	7	report of referrals that involved social
8	Or if we're looking at speech	8	media without going through and reviewing
9	and language, we would look at the different	9	individual files?
10	sounds and the sentence patterns that a	10	A. Correct. There's not, like, a
11	student should be exhibiting, and if we're	11	field populated for social media.
12	seeing that the student is falling below	12	Q. Have you ever conducted any
13	anticipated mile markers, so then there would	13	analysis of how many referrals to TUSD
14	be some information in that respect.	14	mentioned social media?
15	BY MR. RICE:	15	A. No, I have not.
16	Q. And at the aggregate level,	16	Q. And do you know anyone who has?
17	would something like pre-emergent area for	17	A. No, I do not.
18	reading be a category or is that information	18	Q. Does the department also try to
19	only contained in the narrative information	19	proactively identify students who may have a
20	in Synergy?	20	qualifying disability?
21	MR. CUTLER: Object to form.	21	A. Absolutely. We have regular
22	A. So if we're looking for, like,	22	meetings with the MTSS team. We send
23	reading levels, that's something that would	23	information out to all of our elementary
24	be in a narrative about kind of where the	24	schools. We do a training annually of our
25	student is functioning.	25	administrators and our office staff, just
	Page 55		Page 57
1	If we're looking at reading in	1	reminding them of cues to look for.
2	particular, we would be maybe suspecting a	2	We have information out in the
3	learning disability, and then we could	3	community that go out to local businesses,
4	categorize a learning disability in reading,	4	especially medical facilities, as well as
5	writing, or math.	5	areas parents might be visiting.
6	There is the opportunity to	6	Q. Is there an attempt at
7	explore a student's cognitive ability to	7	proactive identification required under the
8	determine kind of what we would expect them	8	IDEA?
9	to be able to do when it comes to reading.	9	A. Yes, there is.
10	BY MR. RICE:	10	Q. During your time at TUSD, has
11	Q. If the referral of a student to	11	TUSD improved its ability to identify
12	the department mentioned social media in any	12	students who may have a qualifying
13	way, where would that information be stored?	13	disability?
14	MR. CUTLER: Object to form.	14	A. Yes. TUSD has there's been
15	A. If there was a concern about	15	a lot of collaboration with the MTSS team to
16	social media, it could potentially be in,	16	talk about, like, what kind of data needs to
17	like, a discipline record, if there was any	17	be collected, to give them more training on
18	discipline-related concerns or actions.	18	interventions that are research based to
19	With that, it could be in	19	address questions or concerns for students.
117		20	So that information is more readily
20	information about social or emotional		
		21	available.
20	information about social or emotional well-being of the student. It could be something that would be parent reported or		available. There's more collaboration, so
20 21	well-being of the student. It could be	21	
20 21 22	well-being of the student. It could be something that would be parent reported or	21 22	There's more collaboration, so

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	Page 58		Page 60
1	interventions. There's enough data to move	1	academic ability, behaviors, social-emotional
2	forward with suspecting the student would	2	needs. They do some rating scales. They
3	have an educational disability.	3	look at areas of health. If anything for
4	And so that has led to being	4	vision or hearing is noted, there could be a
5	able to identify more students in that	5	referral for an audiologist or an
6	evaluation process as qualifying versus more	6	ophthalmologist.
7	students not qualifying once we do get to	7	So once the school psychologist
8	that process.	8	does that review, then they reach out to any
9	Q. Once a student is referred to	9	other colleagues who need to be included.
10	the department or identified by the	10	Sometimes a student presents with speech-only
11	department, does the department then evaluate	11	services, and so our speech and language
12	the student?	12	pathologists are primary evaluators. And so
13	A. Yes. Once the student is	13	if that's the only need or suspected area,
14	referred, then there is a comprehensive	14	then the speech and language pathologists
15	evaluation. Depending on the suspected	15	would do the evaluation and the
16	disabilities, we have individuals who	16	recommendation.
17	evaluate in those areas, and then make a	17	BY MR. RICE:
18	determination.	18	Q. And when would social workers
19	Q. And who in the department	19	conduct an evaluation?
20	conducts those evaluations?	20	A. Social workers conduct
21	A. The majority of them are done	21	evaluations if there is a social and
22	by the school psychologist. We also have	22	emotional or behavior component concern.
23	speech and language pathologists who support	23	They're considered to be supplemental
24	physical therapists, occupational therapists,	24	services. They are not the primary
25	social workers, educational interpreters.	25	evaluators in TUSD.
	Page 59		Page 61
1	Q. Are there any other positions	1	Q. Do the department's evaluations
2	that conduct evaluations?	2	attempt to identify the underlying cause of a
3	MR. CUTLER: Object to form.	3	student's disability?
4	A. Those are the primary positions	4	MR. CUTLER: Object to form.
5	in exceptional education that are staffed by	5	A. That's a unique question.
6	TUSD that conduct evaluations.	6	Whenever there is, like, a cognitive
7	BY MR. RICE:	7	assessment done, for example, if a student
8	Q. For the positions you listed,	8	has a low IQ, so that would be the
9	school psychologists, speech and language	9	speculation, that the low IQ was leading to
10		10	some of the difficulties in learning and
10	pathologists, physical therapists,		=
11	occupational therapists, social workers, and	11	accessing the curriculum.
11 12	occupational therapists, social workers, and educational interpreters, what are the	12	accessing the curriculum. On the other hand, if a student
11 12 13	occupational therapists, social workers, and educational interpreters, what are the different situations in which each of those	12 13	on the other hand, if a student has a really high IQ, then the student could
11 12 13 14	occupational therapists, social workers, and educational interpreters, what are the different situations in which each of those positions might conduct an evaluation of a	12 13 14	accessing the curriculum. On the other hand, if a student has a really high IQ, then the student could potentially qualify as being a gifted
11 12 13 14 15	occupational therapists, social workers, and educational interpreters, what are the different situations in which each of those positions might conduct an evaluation of a student?	12 13 14 15	accessing the curriculum. On the other hand, if a student has a really high IQ, then the student could potentially qualify as being a gifted student. We've also noted sometimes that,
11 12 13 14 15 16	occupational therapists, social workers, and educational interpreters, what are the different situations in which each of those positions might conduct an evaluation of a student? MR. CUTLER: Object to form.	12 13 14 15 16	accessing the curriculum. On the other hand, if a student has a really high IQ, then the student could potentially qualify as being a gifted student. We've also noted sometimes that, you know, a student may not be challenged to
11 12 13 14 15 16 17	occupational therapists, social workers, and educational interpreters, what are the different situations in which each of those positions might conduct an evaluation of a student? MR. CUTLER: Object to form. It's incredibly compound.	12 13 14 15 16 17	accessing the curriculum. On the other hand, if a student has a really high IQ, then the student could potentially qualify as being a gifted student. We've also noted sometimes that, you know, a student may not be challenged to their level of potential, and so we can
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1	Page 62 look at academics. And so we look at any	1	Page 64 impairment would be the recognized category.
2	areas or deficits that a student has in	2	Anxiety is a component.
	reading, writing, and math. So that will	3	Q. And then if you wanted to
3		ļ .	
4	tell us if there is a disability in those	4	understand, for instance, if the district had
5	areas.	5	evaluated the source of a student's anxiety,
6	We also look at some social and	6	you would have to look at the particular
7	emotional needs. Our psychologists could	7	narrative information associated with that
8	give information if a student might have ADHD	8	student?
9	or maybe anxiety or maybe depression.	9	A. Yes. We would look for the
10	We also have clinical social	10	narrative. We would look for, like,
11	workers who can assess in areas of suspected	11	protocols with behavior rating scales and
12	disability and emotional or other health	12	scores, that information.
13	impairment, that might include ADHD, anxiety,	13	Q. And is there any category more
14	depression.	14	specific than the type of qualifying
15	BY MR. RICE:	15	disability that the department tracks?
16	Q. For example, if a psychologist	16	MR. CUTLER: Object to form.
17	determined that a student had anxiety, would	17	A. I'm not sure I understand that
18	they attempt to identify the cause of the	18	question.
19	student's anxiety?	19	BY MR. RICE:
20	A. They would take a look at how	20	Q. For instance, if a student
21	the anxiety manifests, if it seems to be,	21	for instance, the department tracks emotional
22	like, work avoidance.	22	disabilities, correct?
23		23	A. Correct. Yes.
	And so, like, if there's an	l	
24	academic task that's difficult or maybe	24	Q. Does the department track how
25	testing situations that would invoke the	25	many of those emotional disabilities are
1	Page 63	1	Page 65
	anxiety, so they would take a look at that.	1	anxiety compared to schizophrenia, for
2	If it's something outside of	2	instance?
3	school, then typically the school	3	A. No, we do not.
4	psychologist would collaborate with a medical	4	Q. And that's true for all
5	provider to determine another source.	5	qualifying disabilities, that you're not
6	Certainly our school	6	tracking, like, a second level of
7	psychologists give rating scales to our	7	granularity.
8	teachers, as well as our parents, to get	8	Does that make sense?
9	input on any sources of anxiety, for example.	9	A. Yes, that's correct.
10	Q. Does the department track	10	Q. It's correct that you're not
11	information relating to the source or cause	11	tracking that?
12	of a student's disability?	12	A. We're not tracking that, no.
13	MR. CUTLER: Object to form.	13	The disability category, the student meets
14	A. The department tracks the	14	the category. We certainly can read more
15	disability area, and so then that becomes the	15	narrative information about that student and
16	primary or the secondary eligibility. If	16	how that disability manifests.
17	there's any other information, that would be	17	And then we see, like, the IEP
18	narrative form in a report, perhaps.	18	that might have services to support that
	BY MR. RICE:	l	
19		19	area. Or some students have behavior plans
20	Q. And so when you say the	20	that gives us more information.
21	department tracks disability, are you	21	Q. Does the IDEA require school
22	referring to something like with our go to	22	districts to conduct evaluations to identify
23	our prior example, anxiety, correct?	23	qualifying disabilities?
24	A. The disability would be	24	A. Yes, that's correct.
25	emotional disability or other health	25	Q. And does the IDEA require

17 (Pages 62 - 65)

	D (6		D (0
1	Page 66 school districts to have psychologists on	1	Page 68 A. So it's an individualized
2	staff for that purpose?	2	education program that's really tailored to
3	A. That's correct. We must have	3	the needs of the student. It begins with,
			e ·
4	psychologists as the primary qualified		like, their present levels. So it looks at
5	evaluations to identify certain disability		their levels of academic performance and
6	areas, yes.	_	functioning. It looks at their
7	Q. And then does the department	7	social-emotional needs. It looks at any
8	also work with external medical providers to	8	communication, any sensory needs, any visual
9	evaluate students?	9	needs, any hearing needs, and then it creates
10	A. Sometimes we do. Sometimes we	10	goals based on those strengths and areas of
11	receive the evaluations and we review them.	11	needs.
12	So once we receive an outside evaluation,	12	For secondary students, it also
13	we're required to review it, and then either	13	creates post-secondary goals to start in that
14	accept it and move forward with a disability	14	transition from high school out into the
15	category or we may need to do additional	15	community. It has related services that
16	testing to determine if the student meets 1	16	students need to access the general ed
17	of the 13 disability categories.	17	curriculum. It also has supplemental
18	Q. Does the department ever refer	18	services and supports for adults who are
19	students to outside medical providers for	19	working with students.
20	testing?	20	So it's a comprehensive program
21	A. We do independent education	21	to determine the least restrictive
22	evaluations. They're referred to as IEE.	22	environment, and any services or specially
23	And so with IEEs, after the district has	23	designed instruction that a student needs
24	provided an initial evaluation, if there's	24	based on the evaluation process and their
25	some disagreement from the parent or	25	present levels.
	Page 67		Page 69
1	guardian, then we provide a list of	1	Q. And who is responsible for the
2	practitioners who are outside evaluators to	2	developing IEPs?
3	the parent. And then we provide one no-cost	3	A. IEPs are developed by case
4	evaluation per year to a parent if that	4	managers. Case managers are typically
5	request comes in.	5	exceptional education teachers. Speech and
6	Q. And who at the department is	6	language pathologists are also case managers
7	responsible for that?	7	for students if speech and language is the
8	A. Our ombudsperson is the one who	8	only area of need.
9	monitors and facilitates the independent	9	Q. Do the case managers consult
10	evaluation process.	10	with others in developing the IEPs?
11	Q. And who is currently in that	11	MR. CUTLER: Object to form.
12	role?	12	A. So case managers are one member
13	A. Monica Ayon.	13	of the IEP team. So an IEP team must consist
14	Q. And so if the student is	14	of a special education teacher, a general
15	determined to be eligible for exceptional	15	education teacher, a parent or guardian. If
16	education services, is the next step to	16	a student is 18 or older, the student is a
17	develop an IEP for that student?	17	part of an IEP team, although students can be
18	A. Yes. So the next step would be	18	invited to team meetings at an age that's
19	to develop an IEP, which would offer the	19	appropriate for that student.
20	provision of the free appropriate public	20	If a student has any related
21	education. At that time, the parent or	21	service providers, such as speech and
22	guardian can decide to accept that placement	22	language, occupational therapists, physical
23	into special education or exceptional	23	therapists, social workers, those individuals
24	education or they could decline the offer.	24	are a part of that student's team.
1			=
25	Q. And what is an IEP?	25	We do have students who might

18 (Pages 66 - 69)

	Page 70		Page 7
1	have hearing needs, so deaf and hard of	1	specialist would come in and do an
2	hearing, we have deaf and hard of hearing	2	observation of the student, would review the
3	teachers. We have educational sign language	3	behavior plan, would review any data related
4	interpreters who would be a part of that	4	to the student's response to the behavior
5	team.	5	plan.
6	We also have students with	6	The behavior specialist has a
7	visual needs who might have a visual	7	very specialized role in looking at the
8	impairment teacher who is supporting them. A	8	antecedents, so what's happening before,
9	student could also have orientation mobility	9	looking at the behavior and then the
10	services that would help them navigate a	10	consequences for the student.
11	campus if they have visual impairments.	11	The behavior specialist
12	BY MR. RICE:	12	typically would come up with an enhancement
13	Q. Are psychologists ever part of	13	of that current behavior plan or maybe
14	the IEP team?	14	facilitate the rewriting of the behavior
15	A. Psychologists can be a part of	15	plan, and would also provide some coaching on
16	the IEP team. If they are, they are	16	implementing that behavior plan.
17	considered to be kind of the data	17	Oftentimes, we have an
18	representative of an IEP team. They are not	18	instructional specialist, which is like a
19	required to be there. Sometimes they are.	19	paraeducator level position, to go in and
20	They're required to be a part of the	20	provide the training and support when schools
21	multidisciplinary team for the evaluation.	21	are implementing a new behavior plan.
22	Q. And the IEP process is required	22	There's also follow up on the progress of
23	by the IDEA, correct?	23	that behavior plan by the behavior
24	A. Correct.	24	
25	We also have a district	25	specialist. Q. Are the behavior plans, if the
23		23	<u> </u>
1	Page 71	1	Page 7:
1	representative role of the IEP team.	1	student has one, related to the IEP?
2	Sometimes that is an exceptional education	2	A. Yes. It's related to the
3	teacher. Sometimes that could be a role like	3	behavioral goal or challenge that's in the
4	an assistant director.	4	IEP based on the student's need for more
5	Q. Are there behavioral	5	self-regulation or less aggression or
6	intervention specialists on the IEP team?	6	whatever that behavior challenge is.
7	A. We have some behavior	7	Q. In the exceptional education
8	specialists that are part of the exceptional	8	department, do students ever have behavior
9	education department. They could participate	9	plans that are not tied to an IEP or 504
10	in an IEP team meeting if they are working	10	plan?
11	directly with a student with some significant	11	A. In the exceptional education
12	behavior challenges.	12	department, a student must have an IEP or a
13	Q. And what role do the behavior	13	504 plan first to have a behavior plan.
14	specialists play in the exceptional education	14	So the they would not have
15	department?	15	one that's not connected to or tied to it.
16	A. So the behavior specialists are	16	Connected or tied to it, no.
17	available if a student has a behavior plan	17	Q. And how do behavioral monitors
18	that's being implemented by the school team	18	fit into this process?
19	and the student's behaviors continue to	19	A. So behavior monitors are more
20	escalate, or if they continue to be dangerous	20	gen ed staff. They typically would not be
21	or if they continue to be at a level that's	21	working with exceptional students or students
	· · · · · · · · · · · · · · · · · · ·		
22	not showing progress toward meeting a	22	who have 504 plans.

19 (Pages 70 - 73)

23

25 out in the IEP?

Q. And school districts are

24 required by law to provide the services laid

24

23 behavioral goal.

So then there is a referral to

25 the behavior specialist. The behavior

	Page 74		Page 76
1	Page 74 A. Correct.	1	Page 76 that are typically collected by the
2	Q. And we were discussing 504 plan	2	exceptional education department.
3	a second ago.	3	BY MR. RICE:
		4	
4	What is a 504 plan?		Q. And so the data points that are
5	A. So a 504 plan is a medically	5	collected by the exceptional education
6	need-based plan for a student to access a	6	department from parents and students are all
7	general curriculum.	7	collected as part of the IEP or 504 plan
8	So, for example, a student	8	process?
9	could have asthma or maybe a student has	9	A. Yes.
10	diabetes, or a student could have anxiety,	10	MR. RICE: I think let's take a
11	anything that has a medical diagnosis and is	11	short break.
12	restricting or limiting or causing a negative	12	THE VIDEOGRAPHER: We are going
13	impact on the student's ability to access	13	off the record. The time is 9:19.
14	school and to access the general education	14	(Recess taken, 9:19 a.m. to
15	curriculum.	15	9:31 a.m. MST)
16	Q. And what information would be	16	THE VIDEOGRAPHER: We are going
17	contained in a 504 plan?	17	back on the record. The time is 9:31.
18	A. So the 504 plan would contain	18	BY MR. RICE:
19	whatever the area need or the disability is,	19	Q. Welcome back, Dr. Salmon. We
20	and what a student needs to mitigate that	20	talked about qualified disabilities earlier.
21	disability.	21	I want to ask a few more questions about
22	So what kind of accommodations	22	that.
23	should be provided by the general ed teacher	23	MR. RICE: Let's mark as
24	or if there's medication that should be	24	Exhibit 2, tab 2.
	administered, or maybe if there's any kind of	25	(Whereupon, TUSD-Salmon-2,
			<u> </u>
1	Page 75 device that a student may need to monitor a	1	Page 77 Disability Categories, was marked for
2	medical condition.	2	identification.)
3	Q. And are school districts	3	BY MR. RICE:
4	required by law to develop 504 plans for	4	Q. And Exhibit 2 is a list of
5	qualifying students and to provide the	5	qualifying disability categories from TUSD's
6	accommodations that are required by those	6	website.
		7	
7	plans?		Dr. Salmon, this is the list of
8	A. Yes, that's correct.	8	qualifying disability categories you referred
9	Q. Other than in connection with	9	to earlier. Correct?
10	the IEP and 504 process, does the exceptional	10	MR. CUTLER: Object to form.
11	education department collect information from	11	A. Correct.
12	students?	12	BY MR. RICE:
13	MR. CUTLER: Object to the	13	Q. And this list contains
14	form.	14	information on disability categories from the
15	A. The exceptional education	15	Arizona Department of Education and the IDEA,
16	department collects information based on the	16	correct?
17	504 plan progress or goals, as well as the	17	A. Correct.
18	IEP plan progress or goals.	18	Q. And so the first category
19	Certainly in the evaluation	19	listed is Autism.
20	process, there's information collected on	20	What are some of the
21	students. We're required by state to collect	21	accommodations TUSD might provide to a
22	information on parent satisfaction with the	22	student who has autism?
23	IEP process and the progress that their	23	MR. CUTLER: Object to form.
24	students are making.	24	A. So a student qualifies as
	_		
25	So those are the data points	25	having autism because they have some

20 (Pages 74 - 77)

		I	
1	Page 78 communication or language support needs that	1	Page 80 communication need, so a student may have
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	are impacting their access to the general	2	some speech services. A student could have a
3	curriculum.	3	need in, like, developing pre-reading or
4	And it just depends, because	4	pre-math skills, so the student could receive
5	autism is such a continuum. So we can have	5	some services or support in that area.
6	students who have high intellectual ability,	6	A student may have some
7	high levels of functioning, and maybe they	7	physical limitations that might require
8	might need some social skill development or	8	physical initiations that high require physical therapy. A student could have some
9	social support with interacting with peers or	9	sensory needs or a student could have some
10	other adults.	10	fine motor needs that would require support
11	We could also have a student	11	from occupational therapy.
1	with autism who might have an intellectual	12	So it just depends on what area
13	disability, for example, and so that student	13	of delay the student has, what the services
14	might have some limitations in their	14	and support would look like.
15	cognition. So they may need to have the	15	BY MR. RICE:
16	curriculum modified or adapted to support	16	Q. The next category is Emotional
17	their cognitive ability.	17	Disturbance.
18	A student with autism would	18	What types of conditions are
19	typically have speech and language therapy as	19	included in the emotional disturbance
$\begin{vmatrix} 1 \\ 20 \end{vmatrix}$	a related service to also support some of the	20	category?
21	pragmatic language skill development or	21	A. So the emotional disturbance
$\begin{vmatrix} 21\\22\end{vmatrix}$	pragmatic language needs.	22	includes diagnoses that could be in the DSM.
23	BY MR. RICE:	23	So it could be a student with
24	Q. If you turn to the next page,	24	depression. It could be a student with
25	another category of disability is	25	anxiety. It could be a student who has
			·
1	Page 79 Developmental Delay, correct?	1	Page 81 schizophrenia. It could be a student with
2	A. Yes, that is one.	2	post-traumatic stress. There are a variety
3	Q. And what is a developmental	3	of emotional needs or disturbances that could
4	delay?	4	qualify for this area.
5	A. So a developmental delay is for	5	Q. And what are some of the
6	an individual who is age 3 to 9, and they	6	accommodations TUSD might provide to a
7	have a limitation in an area such as	7	student who has emotional disturbance?
			student who has emotional disturbance?
8	communication, social-emotional needs,	8	
8 9	communication, social-emotional needs, physical development, or cognition.	8 9	MR. CUTLER: Object to form.
	physical development, or cognition.	9	MR. CUTLER: Object to form. A. So, typically, a student would
9 10	physical development, or cognition. Q. And what are some of the	9	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some
9 10 11	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a	9 10	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with,
9 10 11 12	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay?	9 10 11 12	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation.
9 10 11	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form.	9 10 11	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service,
9 10 11 12 13	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form.	9 10 11 12 13	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation.
9 10 11 12 13 14	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be	9 10 11 12 13 14	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they
9 10 11 12 13 14 15	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an	9 10 11 12 13 14 15	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE:
9 10 11 12 13 14 15 16	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students	9 10 11 12 13 14 15 16	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next
9 10 11 12 13 14 15 16 17	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an	9 10 11 12 13 14 15 16 17	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE:
9 10 11 12 13 14 15 16 17 18	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students services would just be based on the areas of need.	9 10 11 12 13 14 15 16 17 18	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next page, the category is Intellectual
9 10 11 12 13 14 15 16 17 18	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students services would just be based on the areas of	9 10 11 12 13 14 15 16 17 18	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next page, the category is Intellectual Disability, correct?
9 10 11 12 13 14 15 16 17 18 19 20	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students services would just be based on the areas of need. So, for example, we could have	9 10 11 12 13 14 15 16 17 18 19 20	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next page, the category is Intellectual Disability, correct? A. Yes.
9 10 11 12 13 14 15 16 17 18 19 20 21	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students services would just be based on the areas of need. So, for example, we could have some students with developmental delays, and	9 10 11 12 13 14 15 16 17 18 19 20 21	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next page, the category is Intellectual Disability, correct? A. Yes. Q. And according to this document,
9 10 11 12 13 14 15 16 17 18 19 20 21 22	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students services would just be based on the areas of need. So, for example, we could have some students with developmental delays, and they could need assistance with areas of	9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next page, the category is Intellectual Disability, correct? A. Yes. Q. And according to this document, intellectual disability is the current term
9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	physical development, or cognition. Q. And what are some of the accommodations TUSD might provide to a student who has a developmental delay? MR. CUTLER: Object to form. A. A student who has a developmental delay is a student who could be serviced in a preschool classroom or an elementary classroom. So the students services would just be based on the areas of need. So, for example, we could have some students with developmental delays, and they could need assistance with areas of daily activities, such as for toileting, with	9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. CUTLER: Object to form. A. So, typically, a student would have a goal and they would have some behavioral goal. So the goal is often with, like, coping strategies or self-regulation. And students also may have a related service, such as counseling, on their IEP, if they have an emotional need. BY MR. RICE: Q. And if we look at the next page, the category is Intellectual Disability, correct? A. Yes. Q. And according to this document, intellectual disability is the current term for what used to be referred to as mental

21 (Pages 78 - 81)

Page 82 1 de-escalation strategies, or the student 2 2 2 2 2 2 3 3 3 3				
2 accommodations TUSD might provide for a student who has an intellectual disability? 4 A. So for a student who has an intellectual disability, there would of oftentimes be a goal for reading, writing, 7 and math. And so there would be some 8 modification to the curriculum or some 9 different modalities used to teach reading, 10 writing, and math to help the student access 11 the curriculum in that area. 12 Q. And then further down the same 13 page, another category is Other Health 13 page, another category is Other Health 14 Impairment. 15 A. Yes. 16 Q. And some examples listed in 17 this paragraph of other health impairment are 18 asthma, ADD, ADHD, diabetes, epilepsy, a 9 heart condition, hemophilia, lead poisoning, 20 leukemia, nephritis, rheumatic fever, sickle 21 cell anemia, and Tourette syndrome, correct? 22 A. Correct. 23 Q. So this is a pretty broad 24 category, is that fair to say? 24 development, and to the developmental delay. We're looking to see if 1 the student with exaditions of the student with the additional standard 20 deviations below the norm. It has to be at 2 least a 5 to be a severe delay, And so this 22 is a student with very significant cognitive 23 delays or physical or, like, language 24 development, communication, or 25 social-emotional or maladaptive just 24 development, communication, or 25 social-emotional or maladaptive just 27 social-emotional or maladaptive just 28 development, communication, or 27 social-emotional or maladaptive just 29 or self-care skills, such as, like, speaking 3 or to tileting or, like, eating. Those kinds 4 for needs that are severe. 5 Q. And so what are some of the 2 either mental health impairment, emotional 3 impairment. 17 tool doe a physical 3 impairment. 18 passibility and the reason for the 2 either mental health impairment, emotional 3 impairment. 19 from a paraprofessional to 5 to really depends on what 19 type of disability and the reason for the 3 health impairment, emotional 3 impairment, emotional 4 health impairment, emotional 5 health ass	1		1	
3 support in that area. 1's possible that the 4 A. So for a student who has an 5 intellectual disability, there would 6 oftentimes be a goal for reading, writing, 7 and math. And so there would be some 8 modification to the curriculum or some 9 different modalities used to teach reading, 10 writing, and math to help the student access 11 the curriculum in that area. 12 Q. And then further down the same 13 page, another category is Other Health 14 Impairment. 15 A. Yes. 16 Q. And some examples listed in 16 this paragraph of other health impairment are 18 asthma, ADD, ADHD, diabetes, epilepsy, a 19 heart condition, hemophilia, lead poisoning, 10 leukemia, nephritis, rhematic fever, sickle 11 cell anemia, and Tourette syndrome, correct? 12 A. Correct. 13 Q. So this is a pretty broad 14 category, is that fair to say? 15 A. Yes, it is. 16 Q. And what are some of the 17 a carrow of the succommodations TUSD might provide for a student in this category? 18 MR. CUTLER: Object to the 19 form. 10 prajarment. It could be a physical in impairment. So it really depends on what 12 type of disability and the reason for the health impairment could be either mental health impairment could be either mental health impairment, emotional impairment. So it really depends on what 12 type of disability and the reason for the health anealth impairment, emotional from a paraprofessional to provide, file, oversight or to provide administration of 10 medication or some other medical procedure. 17 when the curriculum in that area. 18 asthma. ADD, ADHD, diabetes, epilepsy, a a student will accelerate in development and lealy. Yer looking to see if the tudent will accelerate in development and lealy. Yer looking to see if the tudent will accelerate in development and lealy. Yer looking to see if the student will accelerate in development and lealy. Yer loo				<u>~</u>
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20 medication or some other medical procedure. 21 We could also have a student 22 who might have anxiety or depression. For 23 example, that student may receive some 24 accommodations with, like, maybe a quiet 20 therapy. So just a variety of those supports 21 based on the need. 22 Q. And the next category is 23 Specific Learning Disability, correct? 24 A. Correct.			l	= = ==
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22 who might have anxiety or depression. For 22 Q. And the next category is 23 example, that student may receive some 23 Specific Learning Disability, correct? 24 A. Correct.	1		l	
23 example, that student may receive some 24 accommodations with, like, maybe a quiet 23 Specific Learning Disability, correct? 24 A. Correct.				
24 accommodations with, like, maybe a quiet 24 A. Correct.	22		l	
	23		l	Specific Learning Disability, correct?
25 place or some direct instruction and 25 O And some of the types of	24		24	A. Correct.
25 place of some direct instruction and 25 Q. And some of the types of		1 1 1 1 1	25	O A 1

22 (Pages 82 - 85)

1	Page 86	1	Page 8
1	E	1	language pathologists who support the
2	injuries or dyslexia, correct?	2	pragmatic language or provide, like, support
3	A. Correct.	3	with social stories or other communication
4	Q. And what are some of the	4	that we see sometimes in a student who has
5	accommodations students at TUSD receive for	5	autism.
6	learning disabilities?	6	Q. Social media addiction is not
7	MR. CUTLER: Object to form.	7	listed as a qualifying disability, correct?
8	A. So a student who had a learning	8	A. Correct.
9	disability would have a goal in whatever area	9	MR. RICE: You can take that
10	the disability is in. So it would be	10	down, Mr. Lawlor.
11	reading, it would be writing, or it would be	11	BY MR. RICE:
12	math.	12	Q. I want to switch gears,
13	And so they would have a goal	13	Dr. Salmon, and talk a little more about some
14	to support instruction in that area. So	14	of the different staff members in the Ex Ed
15	that's specially designed instruction that's	15	department.
16	provided by an exceptional education teacher.	16	A. Okay.
17	BY MR. RICE:	17	Q. Earlier you mentioned social
18	Q. And this paragraph also lists	18	workers.
19	perceptual disabilities as an example of	19	What is the role of social
20	specific learning disability.	20	workers in the department?
21	What's a perceptual disability?	21	A. So social workers are there to
22	A. So a perceptual disability	22	provide social and emotional support for
23	would involve the way that a student sees	23	students. They are there to help students
24	things happening, or maybe kind of their	24	with any social-emotional regulation
25	definition or their concept of the space and	25	strategies that are needed to help them just
	Page 87		Page 8
1	time around them, just some of the	1	be present and access the curriculum.
2	information that they're taking in and they	2	They are there to provide
3	are making sense of or they're using.	3	resources for families if they need
4	Q. And then the next category is	4	additional support with resources, both in
5	Speech or Language Impairment, correct?	5	school and out of school.
6	A. Correct.	6	Q. And social workers at TUSD are
7	Q. And some examples there would	7	split into exceptional education social
8	be a stutter or a voice impairment, correct?	8	workers and general education social workers,
9	A. Correct.	9	correct?
10	Q. And what are some of the	10	A. Correct.
11	accommodations TUSD might provide for speech	11	Q. And you supervise the
12	impairments?	12	exceptional education social workers, right?
13	A. So we have speech and language	13	A. Correct.
14	pathologists who provide direct therapy	14	Q. And the general education
15	support. So they provide support with both	15	social workers are supervised by the site
16	receptive and expressive language. So really	16	administrators and regional superintendents?
17	to help the student if the student is	17	A. Correct.
18	stuttering. Help them, like, take breaths or	18	Q. And how are the exceptional
19	slow down their speech patterns.	19	education social workers assigned to schools?
20	Also, if maybe a student is	20	A. They are assigned to schools
21	having trouble retrieving information, like,	21	based on student need. So our social workers
22	giving them mental models for things that	22	can provide counseling as a related service.
23	they can think and process so they can	23	That's on the IEP.
24	articulate what they're wanting to say.	24	And so we have our social
25	We also have our speech and	25	workers assigned based on master-level social
	vic also have our specen and	23	workers assigned based on master-level social

23 (Pages 86 - 89)

	Page 00		Page 02
1	Page 90 workers, clinical social workers, or	1	Page 92 whatever schools the students are attending,
2	bachelor-level social workers.	$\frac{1}{2}$	whatever students have the need. So they're
3	Our bachelor level social	3	kind of the first line assigned person, and
l .			U 1
4	workers are assigned by region. So we have	5	so they can provide a lot of general support. And then if we have students
5	five, one per five regions, the same regions		
6	that we have for, like, the assistant	6	who need more specialized support, then we can refer to a master level social worker.
7	directors and the regional superintendents.	7	
8	For the master and the	8	Q. And so for the bachelor level
9	clinical-level social workers, they are	9	social workers, would the way they spend
10	assigned based on student population, IEP	10	their time vary depending on the types of
11	goals or IEP services for counseling.	11	issues they see in their particular region?
12	We have our clinical level	12	A. Correct.
13	social workers assigned to campuses that have	13	Q. And in the clinical level
14	students with emotional disturbance as a	14	social workers, you said they're assigned to
15	primary disability and counseling as a	15	campuses that have emotional disturbance as a
16	related service on the IEP for a student who	16	primary disability?
17	has an emotional disturbance.	17	A. Correct. A specialized program
18	Q. Has the role of social workers	18	for students who have emotional disturbance.
19	at TUSD changed during your time at the	19	Q. So would that be Mary Meredith
20	district?	20	or would that be other schools that have a
21	A. Yes. The role of social	21	locus of students with emotional disturbance?
22	workers has evolved. When I entered my role	22	A. So it would be Mary Meredith,
23	in the district, we had such a staffing	23	in addition to some other campuses that have
24	shortage of social workers. We had a lot of	24	a specialized program for exceptional
25	vacancies. And so we were looking at, like,	25	education students and emotional disturbance
	Page 91		Page 93
1	what do our students need?	1	as the primary disability category.
2	So our students need someone to	2	Q. Which other campuses have that
3	help check in on them. Sometimes our	3	program?
4	atural anta manad balan suith tanahin a masulati an	-	1 -6 -
	students need help with teaching-regulation	4	A. We have Valencia Middle School
5	strategies. Sometimes students need help	1	
5 6		4	A. We have Valencia Middle School
1	strategies. Sometimes students need help	4 5	A. We have Valencia Middle School that has that program. We have Doolen Middle
6	strategies. Sometimes students need help with self-advocacy. Sometimes students need	4 5 6	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle
6 7	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like,	4 5 6 7	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School.
6 7 8	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family.	4 5 6 7 8	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High
6 7 8 9	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and	4 5 6 7 8 9	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have
6 7 8 9 10	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social	4 5 6 7 8 9 10	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High.
6 7 8 9 10 11	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social	4 5 6 7 8 9 10 11	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver.
6 7 8 9 10 11 12	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide	4 5 6 7 8 9 10 11 12	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social
6 7 8 9 10 11 12 13	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have	4 5 6 7 8 9 10 11 12 13	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that
6 7 8 9 10 11 12 13 14 15	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs.	4 5 6 7 8 9 10 11 12 13 14	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools,
6 7 8 9 10 11 12 13 14 15 16	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social	4 5 6 7 8 9 10 11 12 13 14 15 16	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other
6 7 8 9 10 11 12 13 14 15 16 17	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically,	4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional
6 7 8 9 10 11 12 13 14 15 16 17 18	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct?
6 7 8 9 10 11 12 13 14 15 16 17 18 19	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct? A. Correct.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct? A. Correct.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct? A. Correct. Q. And so would the types of	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct? A. Correct. Q. Do the licensed clinical social
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct? A. Correct. Q. And so would the types of students and disabilities they interact with	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct? A. Correct. Q. Do the licensed clinical social workers work with those students?
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct? A. Correct. Q. And so would the types of students and disabilities they interact with vary just based on what is present in each	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct? A. Correct. Q. Do the licensed clinical social workers work with those students? A. It's possible that they work
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct? A. Correct. Q. And so would the types of students and disabilities they interact with vary just based on what is present in each region at any given time?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct? A. Correct. Q. Do the licensed clinical social workers work with those students? A. It's possible that they work with other students who have other qualifying
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	strategies. Sometimes students need help with self-advocacy. Sometimes students need help with accessing resources for, like, their homelife or their family. So the bachelor level social workers are really, like, case managers and they can provide a lot of general things. Then our master and our clinical social workers are the individuals who can provide counseling and support students who have higher levels of needs. Q. For the bachelor level social workers, they are assigned geographically, correct? A. Correct. Q. And so would the types of students and disabilities they interact with vary just based on what is present in each	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	A. We have Valencia Middle School that has that program. We have Doolen Middle School that has that program. Vail Middle School. We also have Magee Middle School. We have high schools. We have Sahuaro High School. We have Palo Verde High School. We have Tucson High. And then, for the elementaries, we have Peter Howell and we have Lineweaver. Q. For the clinical level social workers that are assigned to the schools that are not Mary Meredith, at those schools, there are also students who have other qualifying disabilities other than emotional disturbance, correct? A. Correct. Q. Do the licensed clinical social workers work with those students? A. It's possible that they work

24 (Pages 90 - 93)

1	Page 94		Page 96
1	Q. And so would the way a licensed	1	A. Correct.
2	clinical social worker at Mary Meredith spend	2	Q. And so the way a master social
3	their time be different than the way a	3	worker spends their time might vary depending
4	licensed clinical social worker at Tucson	4	on the particular grouping of disabilities
1	High spends their time, for instance?	5	for the students they're working with at a
5			
6 7	MR. CUTLER: Object to form.	6	particular time?
	A. So a social worker at Mary		MR. CUTLER: Object to form.
8	Meredith is spending 100% of their time with	8	A. Correct.
9	exceptional education students at Mary	9	MR. RICE: Let's mark as
10	Meredith, all of the students who have	10	Exhibit 3, tab 32A.
11	emotional disturbance.	11	(Whereupon, TUSD-Salmon-3,
12	So they would do more things	12	Social Worker-LCSW, SM_TUSD_00511876-
13	like social groups. They would provide the	13	SM_TUSD_00511877, was marked for
14	counseling. They would also take a role in	14	identification.)
15	the kind of intake process for students who	15	BY MR. RICE:
16	are transitioning from one school going to	16	Q. And Exhibit 3 is a document
17	Mary Meredith or for Mary Meredith students	17	produced by TUSD with the Bates 00511876.
18	transitioning out of there going into a	18	And, Dr. Salmon, this is the
19	comprehensive school.	19	job description for licensed clinical social
20	And so they spend a lot more	20	workers at TUSD, correct?
21	time working directly with students. They	21	A. Correct.
22	would spend more hours working on the skills.	22	Q. And under essential functions
23	They would work more holistically with the	23	it lists the functions of the licensed
24	students at Mary Meredith.	24	clinical social workers?
25	If they were at a comprehensive	25	A. Correct.
	Page 95		Page 97
1	school, they typically would have their	1	MR. RICE: Let's mark as
2	caseload of students who they're just	2	Exhibit 4, tab 32B.
3	providing the counseling for. They may	3	(Whereupon, TUSD-Salmon-4,
4	provide, like, workshops for students who	4	Social Worker - Masters,
5	have a substance misuse infraction per the	5	SM_TUSD_00511878- SM_TUSD_00511879,
6	code of conduct. They may do, like, a social	6	was marked for identification.)
7	skills group with the student there.	7	BY MR. RICE:
8	Their role is a little more	8	Q. And Exhibit 4 is a document
9	general. And, again, it's less time with the	9	produced by TUSD with the Bates 00511878.
10	individual students because they do have a	10	And, Dr. Salmon, this is the
11	larger caseload.	11	job description for social workers with a
12	BY MR. RICE:	12	master's degree at TUSD, correct?
13	Q. And for the master social	13	A. Correct.
14	workers, how are they assigned to particular	14	Q. And under essential functions
15	schools?	15	it lists some of the job responsibilities for
16	A. So master social workers are	16	master's level social workers in the
17	assigned to schools for students who have	17	district, correct?
18	counseling as a related service on their IEP.	18	A. Correct.
19	They're typically the ones who are supporting	19	MR. RICE: Let's mark as
1	students who have other eligibilities as a	20	Exhibit 5, tab 33.
20	qualifying disability outside of the	21	Excuse me. Tab 35, I'm sorry.
20 21	· · · · · · · · · · · · · · · · · · ·		
1	emotional disturbance category.	22	34, I'm so sorry.
21	emotional disturbance category. Q. And a student could have	22 23	· · · · · · · · · · · · · · · · · · ·
21 22	- ·		34, I'm so sorry. Sorry, let me 33-A. I'm sorry, I misread that one.

25 (Pages 94 - 97)

	Page 98		Page 100
1	Social Worker Associate,	1	psychologists include conducting evaluations
2	SM_TUSD_00509984- SM_TUSD_00509986,	2	for students, correct?
3	was marked for identification.)	3	A. Correct.
4	BY MR. RICE:	4	Q. Has the role of psychologists
5	Q. And Exhibit 5 is a document	5	changed during your time at TUSD?
6	produced by TUSD with the Bates 00509984.	6	A. Yes. The role of psychologists
7	And, Dr. Salmon, this is a job	7	has changed because we've had such a shortage
8	description for social workers with a level	8	in the hiring of school psychologists. We've
9	of associate, correct?	9	gotten information from the National Board of
10	A. Correct.	10	School Psychologists that told us it would
11	Q. And these are the bachelor's	11	take 20 years to obtain the number of school
12	degree level social workers we were	12	psychologists that are needed in schools
13	discussing earlier?	13	throughout this country.
14	A. Correct.	14	And so we've taken a look at
15	Q. And then at the bottom of the	15	the job of the school psychologists and we've
16	page, going onto the second page, it lists	16	kind of compartmentalized the job into, like,
17	some of their job functions?	17	what are some things that other people could
18	A. Yes.	18	be qualified and provide training to do.
19	Q. Several of these job	19	And so we have clinician
20	descriptions refer to substance abuse.	20	support specialists. And so those are
21	What are the roles of social	21	individuals who can do some data entry. They
22	workers at TUSD with respect to substance	22	can request records. They can do some
23	abuse?	23	student observations.
24	A. So social workers in TUSD have	24	This role is really focused on
25	helped create an internal curriculum to	25	a grow-your-own process to have aspiring
	Page 99		Page 101
1	address substance misuse by students. And so	1	individuals get more familiar about the role
2	there's a series of three workshops that a	2	of school psychologist in hopes they would go
3	student could attend.	3	to school and then become school
4	So the first workshop is for a	4	psychologists and come back and work for TUSD
5	first infraction of substance abuse or use,	5	as a school psychologist.
6	and then it escalates from there. Then	6	We also have the role of
7	there's a workshop 2 and a workshop 3.	7	diagnostician. So a diagnostician is an
8	And so we've had our clinical	8	individual who is trained to administer
9	and our master level social workers, they	9	achievement assessments. And so we have a
10	worked in collaboration with COPE behavioral	10	group of three diagnosticians who provide
11	health organization to create these	11	administration of achievement assessment.
12	workshops. They also provide a workshop and	12	We've also had some
13	training to students once they receive parent	13	Woodcock-Johnson assessment training for some
14	permission for a student to participate in	14	of our teachers. And so we have a group of
15	the workshop.	15	teachers who went through the cohort of
16	Q. And how often do they put on	16	training and became qualified evaluators to
17	those workshops?	17	evaluate for achievement or academic needs.
18	A. They're on an as-needed basis.	18	Q. And so has the way
19	So referrals typically come from an	19	psychologists spent their time on different
20	administrator of a campus for a student to	20	job functions then changed over the course of
21	participate in the workshop. So then the	21	your career at TUSD?
22	workshops are provided based on need.	22	MR. CUTLER: Object to form,
23	Q. You can set that aside.	23	it's vague.
24	What is the role of well,	24	A. So we have our school
25	earlier we were discussing that the role of	25	psychologists that now have higher caseloads

26 (Pages 98 - 101)

1	Page 102	1	Page 104
	ε	1	MR. RICE: Let's mark as
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	additional support providers who are helping	2	Exhibit 6, tab 34.
3	with different aspects of their role.	3	(Whereupon, TUSD-Salmon-6,
4	We also have regional point of	4	Psychologist, SM_TUSD_00558911-
5	contacts for school psychologists. So we	5	SM_TUSD_00558912, was marked for
6	have one per region. So they are available	6	identification.)
7	to triage and just to review any concerns	7	BY MR. RICE:
8	that our school campuses have.	8	Q. And Exhibit 6 is a document
9	So this regional point of	9	produced by TUSD with the Bates 00558911.
10	contact is a new role. Oversight and support	10	And, Dr. Salmon, this is a job
11	of the clinician support specialist is a new	11	description for a psychologist at TUSD,
12	role. We previously had one diagnostician.	12	correct?
13	We increased that role to now have three.	13	A. Correct.
14	And so our school psychologists	14	Q. And then, on the second page,
15	and our lead for school psychologists work	15	under Essential Functions, it lists their job
16	very closely with the clinician support	16	responsibilities, correct?
17	specialists and the diagnosticians, as well	17	A. Correct.
18	as any of the teachers who would be	18	Q. Are there different types of
19	administering the achievement assessment.	19	psychologists employed by TUSD?
20	BY MR. RICE:	20	A. We have EDS, which is, like, a
21	Q. And other than evaluations,	21	graduate level credentialing of school
22	what other job functions do school	22	psychologists, and then we also have Ph.D.
23	psychologists have?	23	level psychologists.
24	A. Yes, so our school	24	Q. In some documents I've seen
25	psychologists also provide information and	25	terms referred to as psychologists versus
	Page 103		Page 105
1	guidelines and recommendations for	1	school psychologists versus school
2	interventions to support students who are	2	psychologists hybrid.
3	having either academic or behavior challenges	3	A. Mm-hmm.
4	or any other concerns that are impacting	4	Q. Are you familiar with the
5	their access to the curriculum.	5	differences between those?
6	Our school psychologists	6	A. Yes. So psychologists, school
7	provide consultation to school staff. Our	7	psychologists, that is one and the same.
8	school psychologists may consult with the	8	Seems that maybe just the school was omitted
9	tier 3 level of providers for students who	9	from the psychologist.
10	are in the MTSS process of tier 3.	10	Hybrid psychologists, their
11	Our school psychologists could	11	roles and responsibilities are very similar.
12	also provide counseling for students who may	12	These are individuals who work, like, some
13	have counseling as a related service on their	13	remote time. So they may be participating in
14	IEPs.	14	meetings. They may be holding, like, a
15	Q. Is there anything else?	15	manifestation determination, which is
16	A. So our school psychologists are	16	something that our psychologists do when
17	oftentimes kind of the exceptional education	17	there's a disciplinary concern with students.
18	point of contact at a school. They have a	18	So the hybrid just means that
19	lot of general level knowledge about the	19	they're not 100% in person in one of our TUSD
20	evaluation process, as well as the IEP	20	schools.
21	_	21	Q. And does TUSD also employ
22	process. They also provide input in	22	psychology interns?
23		23	A. Yes.
l	guidance or recommendations if a team is	l	
24	thinking about placement or other services	24	Q. What are psychology interns?
23	for a student.	25	 A. So psychology interns are

27 (Pages 102 - 105)

	Page 106		Page 108
	1	1	Q. And then how are psychologists
2	coursework through an approved university	2	at TUSD assigned to schools?
3	program, and they are in the last stages of	3	A. So psychologists are assigned
4	getting all of their credentials.	4	based on their level of expertise and based
5	So our interns shadow one of	5	on preference. Each year in the spring,
6	our existing school psychologists for one	6	psychologists are asked to rate the schools
7	semester, and then the second semester they	7	that they would want to support or be
8	begin to perform some of the essential	8	assigned at. They have three, so first,
9	functions of a school psychologist under the	9	second, and third choice.
10	supervision of a school psychologist in TUSD,	10	And then based on that
11	as well as with collaboration from a	11	information, based on need, the lead school
12	university professor.	12	psychologist would take a look at, like,
13	Q. And does TUSD pay psychology	13	where is the greatest need. For example, if
14	interns?	14	we have a need, like, at Mary Meredith, that
15	A. Yes. Psychology interns are	15	would be the highest priority for us because
16	paid an hourly rate.	16	its the students with the highest need.
17	Q. And then, does TUSD also have	17	I mentioned other programs like
18	psychology externs?	18	Valencia or Doolen or Alice Vail or Magee.
19	A. Yes. So psychology externs are	19	So one of those campuses that have a very
20	individuals who are not yet ready to be an	20	specialized Ex Ed program would also be the
21	intern. They have finished the coursework,	21	next level of school who would have assigned
22	but they also have some additional university	22	school psychologists.
23	requirements before they're ready to be	23	Q. And then, earlier we also
24	interns.	24	discussed behavioral specialists and
25	And so externs is something	25	behavioral monitors.
	Page 107		Page 109
1	that we started to hire a year ago. And so	1	A. Mm-hmm. (Witness nods.)
2	our externs typically work one or two days a	2	Q. Have those roles changed over
3	week. And their primary function is to	3	your time at TUSD?
4	administer assessments that they've been	4	A. So we have we have a
5	trained to administer.	5	behavior team. So it's Behavior Education
6	Q. For both psychology externs and	6	Student Support Team, the acronym is BEST,
7	interns, are there certain job	7	B-E-S-T.
8	responsibilities they're not able to fulfill	8	And this team has been around
9	because of licensing?		before my tenure, and it continues. In the
10	A. Yes, that is correct.	10	past, the behavior specialists were working
11	Q. What are some of the functions	11	more directly with students. They've evolved
12	they aren't able to fill at their level?	12	to more of a supervisory support.
13	A. So they're able to administer	13	Intervention specialists are working directly
14	assessments and give some guidance on, like,	14	with students, for the most part.
15	student supports. They're available to	15	We also have a capacity
16	collaborate and give guidance to team	16	building model where the goal is for the
17	members. They need to work under the	17	behavior specialist to go in and to teach
18	supervision of a psychologist.	18	some behavior strategies that then the school
19	So they would not make an	19	team can replicate. And then to go in and
20	eligibility determination, they would just	20	just provide coaching and training and
۔ م ا	provide all of the accessment data give that	21	follow-up support at schools.
21	provide all of the assessment data, give that	~~	0 00
22	data to a psychologist who is certified, and	22	Q. The capacity building model you
22 23	data to a psychologist who is certified, and then that psychologist would review the data	23	mentioned, when was that implemented?
22	data to a psychologist who is certified, and		

28 (Pages 106 - 109)

1	Page 110	1	Page 112
1	capacity building model.	1	, ,
2	So the last three years, we	2	is wanting more of or less of that's
3	really focused on that capacity building	3	contributing to their behavior.
4	model and providing more professional	4	So they would have that level
5	development and training.	5	of expertise to really analyze the root cause
6	Once the district went to	6	of the behavior and to provide interventions
7	having our PLDs, or our professional learning	7	and treatment suggestions to support that
8	days, we had more opportunity to provide more	8	behavior.
9	training and support in behavior strategies	9	They could also supervise
10	and self-regulation techniques for our school	10	registered behavior technicians. And so
11	team.	11	these would be individuals who have
12	MR. RICE: Let's mark as	12	specialized behavior support to work directly
13	Exhibit 7, tab 35A.	13	with students to reshape and support behavior
14	(Whereupon, TUSD-Salmon-7,	14	needs.
15	Board Certified Behavior Analyst	15	Q. You can set that aside.
16	(BCBA), SM_TUSD_00564675-	16	A. Okay.
17	SM_TUSD_00564676, was marked for	17	Q. For any of the positions in the
18	identification.)	18	exceptional education department, does TUSD
19	BY MR. RICE:	19	track how those positions spend their time?
20	Q. Exhibit 7 is a document	20	A. Yes, we do.
21	produced by TUSD with the Bates 00564675.	21	Q. What are the ways you track
22	And, Dr. Salmon, this is a job	22	their time?
23	description for a board certified behavioral	23	A. So we have logs that
24	analyst, correct?	24	individuals track the time that they are
25	A. Correct.	25	working on certain services. We have
	Page 111		Page 113
1	Q. So which position would this	1	Desktop, which is our database that we use to
2	fit under, if any, that we've been	2	submit Medicaid claims. So individuals
3	discussing?	3	submit services that they provide to students
4	A. This does not fit under any	4	in the Desktop database.
5	that we've discussed.	5	We also do, like, a time and
6	Q. So this isn't a position you	6	effort maintenance log. And so it's a
7	supervise?	7	provision for our federal grant that
8	A. Well, I would if we had anyone	8	stipulates that an exceptional education
9	in this role. We do not have anyone in this	9	staff member should be spending the majority
10	role currently.	10	of their time working on exceptional
11	Q. Have you previously had someone	11	education needs or with exceptional education
12	in that role during your tenure?	12	students. And so that's something that we
13	A. Yes, we have.	13	collect every six months from our staff
14	Q. And how long has it been vacant	14	members.
15		15	Q. In the first part of your
16	A. It has been vacant for about a	16	answer you referred to logs that individuals
17	year and a half.	17	track the time that they are working on for
18	Q. And when the position of board	18	certain services.
19	certified behavior analyst is filled, what	19	A. Mm-hmm.
20	responsibilities does the position normally	20	Q. Are those the same as the time
21	have?	21	and effort logs or is there another type of
22	A. So a board behavior analyst	22	log as well?
23	would have the ability to really dissect the	23	-
١			1
24	cause of the behavior. So they could do, like, a functional behavior analysis, just	24	database that I was referring to, that's one place to keep it. The time and effort is
	ire, a functional ochavior analysis, just	25	place to keep it. The time and effort is

29 (Pages 110 - 113)

	Page 114		Page 116
1	different.	1	A. Correct.
2	Q. So there's the Desktop database	2	Q. And then are the time and
3	for Medicaid claims.	3	effort logs ultimately digitized or analyzed
4	A. Yes.	4	in any type of way?
5	Q. The time and effort log,	5	A. Yes. They get scanned and they
6	maintenance logs for the federal IDEA grants.	6	get monitored. And it's, like, a compliance
7	A. Correct.	7	checkpoint. So it's either the individual is
8	Q. Are there any other ways that	8	saying that they're spending the majority of
9	TUSD tracks how positions in the exceptional	9	their time in exceptional education for the
10	education department spend their time?	10	six-month period, it's kind of a yes, no, or
11	A. Those are the ways that we	11	if no, like, what's going on and why aren't
12	specifically track. Like, individuals have	12	they?
13	calendars in Outlook where they would have	13	Q. So they're only monitored at
14	information about their location or what kind	14	that level of whether they're spending the
15	of task that they are attending.	15	majority of their time
16	Individuals go to PDs or they	16	A. Correct.
17	attend, like, meetings or collaborations or	17	Q on exceptional education?
18	if they're on any kind of committees, so then	18	A. Yes.
19	we would have agendas or sign-in and sign-out	19	Q. For the Desktop Medicaid
20	for that information.	20	database, have you ever analyzed that
21	We have an exceptional	21	database to determine how much time the
22		22	positions in the exceptional education
23	not necessarily tracking what an individual	23	department spend on different types of tasks?
24	is doing, but it tracks when they go in and	24	A. I get a statement from CSees,
25	out of a school building.	25	the third-party vendor that we use to submit
	Page 115		Page 117
1	Q. The individual Outlook	1	our Medicaid claims. And so I get a report
2	calendars or meetings with professional	2	quarterly that shows how much time is being
3	development or committees, those aren't	3	spent on or submitted for billing on certain
4	tracked in any type of aggregate manner,	4	services.
5	correct?	5	Q. And what types of breakdown
6	A. Correct.	6	services does that report provide?
7	Q. And the exceptional education	7	A. It would provide information
8	log at school campuses only tracks whether	8	about, like, minutes spent on speech therapy
9	they enter and exit the campus; it doesn't	9	or minutes spent on counseling or minutes
10	track the tasks they perform while there?	10	spent on, like, occupational therapy or
11	A. Correct.	11	physical therapy.
12	Q. For the Desktop database for	12	Q. For the time and effort logs,
13	Medicaid claims, where is that information	13	have you ever analyzed those to determine how
14	stored?	14	much time the positions in the exceptional
15	A. So that information is stored	15	education department spend on various types
16		16	of tasks?
17	access to the platform, and then it's stored	17	MR. CUTLER: Object to form,
18	on the cloud.	18	it's vague.
19	Q. And then the time and effort	19	A. So those logs just tell the
20	maintenance logs, where are those stored?	20	percentage of time. It doesn't tell, like,
21	A. Those are stored with our	21	what other tasks. And it's just the the
22	budget specialist in the exceptional	22	majority of time, 50% or more, yes. So it's
23	education department. These are paper logs.	23	a check yes and a signature. So it doesn't
24	Q. They're paper logs that	24	really itemize the exact percentage of time
25	individuals fill out on paper?	25	or what those tasks are.

30 (Pages 114 - 117)

BYMR. RICE: Q. For both the Desktop database and the time and effort logs, do either of those sources include information on whether 5 a staff member has spent time on issues 6 related to social media? 6 related to social media? 7				
2 Q. For both the Desktop database and the time and effort logs, do either of 4 those sources include information on whether 5 a staff member has spent time on issues 6 related to social media? 7 A. The time and effort log would 8 not, no. 9 The Desktop log would have more 10 of a narrative on what the individual is 13 spending time discussing with the student or 12 supporting. So it's possible. 13 Q. Have you ever analyzed the 14 Desktop log to determine if it includes 15 information on staff members' work with 16 students on social media-related issues? 17 A. No, I have not. 18 Q. Are you aware of anyone who 18 has? 19 A. No, I am not. 19 A. I wouldn't call it an 2 interview. Pve certainly had meetings and 20 adequately thereful and individuals on the 4 percentage of time that they've spent on 5 responsibilities. 10 therapists. 11 And so we were talking about, 12 because I can go into the Synergy database 13 brave specialized programs. And so the vertainly had meetings and 20 alout – well, the workload. So even though 21 you know the exact direct services, there are 22 other things, like maybe phone calls or 23 planning for meetings and preparation or 24 material praparation. 50 just some other 24 mad seet heir caseload. So I can see the 25 number of students, the school sites that the 26 about – well, the workload. So even though 29 you know the exact direct services, there are 20 other things, like maybe phone calls or 24 material praparation or 24 material praparation. 50 just some other 24 material and preparation or 25 just some other 24 material and preparation or 25 just some other 24 material praparation. So just some other 24 material programs and 25 documented anywhere? 25 material programs and 26 not provided. 26 not provided provided and see their caseload. So I can see the 15 number of students, the school sites that the 25 number of students, the school sites that the 26 number of the support of the support of the such and the provided provided provided provided provided provided provided provid		-		
4 those sources include information on whether a those sources include information on whether a staff member has spent time on issues 6 related to social media? 7 A. The time and effort log would not, no. 9 The Desktop log would have more 10 of a narrative on what the individual is 11 spending time discussing with the student or 2 supporting. So it's possible. 13 Q. Have you ever analyzed the 14 Desktop log to determine if it includes 15 information on staff members' work with 16 students on social media-related issues? 17 A. No, I have not. 18 Q. Are you aware of anyone who 19 has? 20 A. No, I am not. 21 Q. Have you ever interviewed any 22 staff member in the exceptional education 24 they spend on various job functions? 22 MR, CUTLER: Object to form. 18 We man to do about it. 19 MR, CUTLER: Object to form. 10 A I's documented that we've had out-membed any own with individuals on the 20 A. No, I am not. 21 Q. Have you ever interviewed any 22 staff member in the exceptional education 24 they spend on various job functions? 19 MR, CUTLER: Object to form. 10 A. No, I am not. 11 Jene meeting, so that is documented. 12 MR out of a bout, like, some staff of follow-up meetings to come up with a better 17 plan to monitor that data. Also, decide what we want to do about it. 19 In the exceptional education 22 stell pending to about, like, some staff of a dequatedly track or monitor that. 10 A. I's documented that we've had anywhere? 11 MR, CUTLER: Object to form. 12 A. It's documented that we've had envelve had emering so to about it, like meetings to come up with a better 17 plan to monitor that data. Also, decide what we want to do about like, some staff of to do about, like, some staff of the meetings of that meeting a discussions with individuals on the 21 there are feeling burned out or overworked, 22 so they want to have another way to assess 24 their compensation to see if it's been 24 adequately provided. 25 The purpose of that meeting and department regarding the percentage of time that they			_	_
4 So we've had conversations 5 a staff member has spent time on issues 6 related to social media? 7 A. The time and effort log would 8 not, no. 9 The Desktop log would have more 10 of a narrative on what the individual is 11 spending time discussing with the student or 12 supporting. So it's possible. 13 Q. Have you ever analyzed the 14 Desktop log to determine if it includes 15 information on staff members' work with 16 students on social mediar-related issues? 17 A. No, I have not. 18 Q. Are you aware of anyone who 19 has? 20 A. No, I am not. 21 Q. Have you ever interviewed any 22 staff member in the exceptional education 23 department regarding the percentage of time 24 they spend on various job functions? 25 MR. CUTLER: Object to form. Page 119 A. I wouldn't call it an 2 interview. I've certainly had meetings and 3 discussions with individuals on the 4 percentage of time that they've spent on 5 responsibilities. 6 I had a recent meeting with 7 related service providers, so that meeting 8 included occupational therapists and physical 10 therapists. 6 I had a recent meeting with 7 related service providers, so that meeting 9 included occupational therapists and physical 10 therapists. 11 And so we were talking about, 12 like, a caseload versus a workload model, 13 because I can go into the Synergy database 14 and see their caseload. So I can see the 15 number of students, the school sites that the 15 unmber of students, the school sites that the 15 unmber of work and the care that the students are 16 getting. 17 So those types of meetings and adequately may have read documented 18 Q. So those types of meetings and socumented 19 have nour conversations you've had aren't documented 10 anywhere? 11 MR. CUTLER: Object to form. 15 still pending. We are going to have some 16 follow-up meetings to come up with a better 17 plan to monitor that data. Also, decide what 18 we want to do about it. We don't really lamped to apout on the successor are feeling burned out or overworked, 20 a thirt to do about. Like, some st				-
5 a staff member has spent time on issues 6 related to social media? 7 A. The time and effort log would 8 not, no. 9 The Desktop log would have more 10 of a narrative on what the individual is 11 spending time discussing with the student or 2 supporting. So it's possible. 13 Q. Have you ever analyzed the 14 Desktop log to determine if it includes 15 information on staff members' work with 16 students on social media-related issues? 17 A. No, I have not. 18 Q. Are you aware of anyone who 19 has? 10 A. No, I am not. 21 Q. Have you ever interviewed any 22 staff member in the exceptional education 23 department regarding the percentage of time 24 they spend on various job functions? 25 MR. CUTLER: Object to form. 26 MR. CUTLER: Object to form. 27 Page 119 28 A. I wouldn't call it an 29 interview. I've certainly had meetings and 30 discussions with individuals on the 4 percentage of time that they've spent on 5 responsibilities. 6 I had a recent meeting with 6 related service providers, so that meeting 9 included occupational therapists and physical 10 therapists. 11 I mimber of students, the school sites that the 12 time are at. I can even see the minutes 13 per month of services that students are 14 getting. 15 about it. We don't really have a way to a 6 adequately track or monitor that. 16 adequately track or monitor that. 17 BY MR. RICE: 18 Q. So those types of meetings and 20 anywhere? 21 A. It's documented that we've had 21 the meeting, so that is documented. 24 As far as the outcome, that's 25 still pending. We are going to have some 26 follow-up meetings to come up with a better 27 plant monitor that ata. Also, decide what 28 we want to do about it. 29 a have another way to assess 21 their compensation to see if it's been 22 a dequately provided. 21 like how could we figure that out. And so 22 we've had a student who is working on a 23 calculator. There are some agencies that 24 have calculators, but it's really have a way to 25 department regarding the percentage of time 26 the rapists. 27 per month of serv				-
6 related to social media? 7 A. The time and effort log would 8 not, no. 9 The Desktop log would have more 10 of a narrative on what the individual is 11 spending time discussing with the student or 12 supporting. So it's possible. 12 Q. Have you ever analyzed the 13 Desktop log to determine if it includes 14 Desktop log to determine if it includes 15 information on staff members' work with 16 students on social media-related issues? 17 A. No, I have not. 18 Q. Are you aware of anyone who 19 has? 10 Q. Have you ever interviewed any 21 Q. Have you ever interviewed any 22 staff member in the exceptional education 23 department regarding the percentage of time 24 they spend on various job functions? 25 MR. CUTLER: Object to form. 1 A. I wouldn't call it an 2 interview. I've certainly had meetings and 3 discussions with individuals on the 4 percentage of time that they've spent on 5 responsibilities. 1 A. A so we were talking about, 1 I And so we were talking about, 2 Iike, a caseload. So I can see the 3 included speech and language clinicians. It 9 included occupational therapists and physical therapists. 1 And so we were talking about, 2 Iike, a caseload. So I can see the 3 included speech and language clinicians. It 9 included speech and language clinicians. It 10 And so we were talking about, 11 In a special proprided. 12 In a special proprided to the sudents are at. I can even see the minutes 15 of need of the student may be higher. Even 16 the travel time. We also have schools that may be higher. Even 17 So those are ongoing 18 conversations and egotiations that are 19 And then our individuals talk 20 about — well, the workload. So even though 21 you know the exact direct services, there are 22 other things, like maybe phone calls or 23 planning for meetings and preparation or 24 material preparation. So just some other 24 A. Nos of the conversations are				
7 A. The time and effort log would 8 not, no. 9 The Desktop log would have more 10 of a narrative on what the individual is 11 spending time discussing with the student or 12 supporting. So it's possible. 13 Q. Have you ever analyzed the 14 Desktop log to determine if i includes 15 information on staff members' work with 16 students on social media-related issues? 17 A. No, I have not. 18 Q. Are you aware of anyone who 18 has? 19 A. No, I am not. 20 A. No, I am not. 21 Q. Have you ever interviewed any 22 staff member in the exceptional education 23 department regarding the percentage of time 24 they spend on various job functions? 25 MR. CUTLER: Object to form. 26 MR. CUTLER: Object to form. 27 In a wouldn't call it an 28 interview. I've certainly had meetings and discussions with individuals on the deprecentage of time that they've spent on responsibilities. 29 In a spending time the students are at. I can even see the minutes of per month of services that students are at. I can even see the minutes of per month of services that students are getting. 20 And then our individuals talk 21 Desk top form. 22 Descays C. The spending time in the students are at. I can even see the minutes of the students are at. I can even see the minutes of the things. like maybe phone calls or you know the exact direct services, there are even to the things. like maybe phone calls or you know the exact direct services, there are even the maining for meetings and preparation or you what the students are even the properties of the conversations and elouse the properties of the students are even the spending time discussions you've had a student we've had In the meeting, so that is documented. 20 An Ro, I are meeting with the students are self-eling burned out or overworked, a little bit to do about, like, some staff 21 members are feeling burned out or overworked, a little bit to do about, like, some staff 22 members are feeling burned out or overworked, a little bit to do about iit. 23 the properties of the meeting and a little bit	5		5	
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24 material preparation. So just some other 24 A. Most of the conversations are	22	other things, like maybe phone calls or	22	documented anywhere?
	23	planning for meetings and preparation or	23	MR. CUTLER: Object to form.
25 tasks of the job that are accounted for in 25 verbal. We have some meeting notes from the	24	material preparation. So just some other	24	A. Most of the conversations are
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	Page 122		Page 124
1	last two meetings that we've had.	1	Q. And you said you've had two of
2	BY MR. RICE:	2	those this year.
3	Q. And other than those last two	3	How often do you have those in
4	meetings, is there any documentation of	4	general?
5	conversations you've had with staff members	5	A. In general, we have them once a
6	regarding the way they spend their time?	6	year. So they're usually annually at the end
7	A. Other than those last two	/	of the year, usually around April. We had
8	meetings, we've had exceptional education	8	one a little bit earlier this year because
9	forums. So we've had two of those this year.	9	there were some concerns about workload and
10	And so we have those conversations, we	10	burnout. And so staff members were wanting
11	have meeting notes from those public forums.	11	to meet a little earlier than usual.
12	Q. And the first two meetings you	12	Q. In general, from these
13	mentioned that related to staff burnout and a	13	exceptional education staff forums, are there
14	workload allocation model, is there a name	14	meeting notes?
15	that you'd attach to that type of meeting?	15	MR. CUTLER: Object to form.
16	A. It's called related service	16	A. So whenever we have the forum,
17	provider meeting.	17	there are notes that individuals take. Our
18	Q. So that related service	18	last forum was a virtual forum, so there are
19	provider meeting, did that include all staff	19	meeting notes from the Zoom.
20	in the exceptional education department?	20	BY MR. RICE:
21	A. No. There was just	21	Q. Other than the last forum with
22	representatives from the different related	22	the Zoom meeting notes, are there notes from
23	service providing groups.	23	any other forums that you've held in your
24	Q. How many people attended?	24	time as director?
25	A. Let's see. We had two speech	25	MR. CUTLER: Object to form.
	Page 123		Page 125
1	and language pathologists. We had two	1	A. So not necessarily meeting
2	occupational therapists. One physical	2	notes from the forum. There's, like, the
3	therapist. A program coordinator. A	3	PowerPoint for the meeting. There's some
4	regional superintendent. Myself. And	4	additional information or supporting
5	someone from employee relations.	5	documents from the presentation. There could
6	So roughly nine people.	6	be notes that individuals would have taken,
7	Q. No social workers attended the	/	but not, like, formal notes like the virtual
8	meeting?	8	one.
	A Not that are a	Λ	DV MD DICE.
9	A. Not that one, no.	9	BY MR. RICE:
10	Q. And no psychologists attended	10	Q. On average, how many people
10 11	Q. And no psychologists attended the meeting?	10 11	Q. On average, how many people attend these forums?
10 11 12	Q. And no psychologists attendedthe meeting?A. No.	10 11 12	Q. On average, how many people attend these forums? A. On average, it's probably about
10 11 12 13	Q. And no psychologists attendedthe meeting?A. No.Q. And then you mentioned	10 11 12 13	Q. On average, how many people attend these forums? A. On average, it's probably about 100 people.
10 11 12 13 14	 Q. And no psychologists attended the meeting? A. No. Q. And then you mentioned exceptional education forums. 	10 11 12 13 14	 Q. On average, how many people attend these forums? A. On average, it's probably about 100 people. Q. Is do all staff members in
10 11 12 13 14 15	 Q. And no psychologists attended the meeting? A. No. Q. And then you mentioned exceptional education forums. A. Mm-hmm. (Witness nods.) 	10 11 12 13 14 15	Q. On average, how many people attend these forums? A. On average, it's probably about 100 people. Q. Is do all staff members in the department attend these forums?
10 11 12 13 14 15 16	Q. And no psychologists attended the meeting? A. No. Q. And then you mentioned exceptional education forums. A. Mm-hmm. (Witness nods.) Q. What are those?	10 11 12 13 14 15 16	Q. On average, how many people attend these forums? A. On average, it's probably about 100 people. Q. Is do all staff members in the department attend these forums? MR. CUTLER: Object to form.
10 11 12 13 14 15 16 17	Q. And no psychologists attended the meeting? A. No. Q. And then you mentioned exceptional education forums. A. Mm-hmm. (Witness nods.) Q. What are those? A. So those are opportunities to	10 11 12 13 14 15 16 17	Q. On average, how many people attend these forums? A. On average, it's probably about 100 people. Q. Is do all staff members in the department attend these forums? MR. CUTLER: Object to form. A. So all employees are invited to
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1	Page 126	1	Page 128
1	30 social workers. We have about 26	1	specifically. It did not specifically focus
2	educational interpreters.	2	on how they spent their time, but it was,
3	So we have a lot of people.	3	like, a recruitment and retention strategy.
4	So, no, not everybody attends,	4	So it asked them about things
5	but we do have individuals who decide to	5	that were going well. It also asked about
6	attend, it's optional to attend, from all of	6	suggestions or things that could be improved.
7	our various groups of exceptional education	7	So there were some rating scales on the
8	staff members.	8	survey, and then also some opportunities for
9	BY MR. RICE:	9	comments.
10	Q. And these are only staff	10	BY MR. RICE:
11	members who attend the forum, they're not	11	Q. Other than that survey, you're
12	open to the public, correct?	12	not aware of any survey of staff members in
13	A. Correct.	13	the exceptional education department?
14	Q. Other than the meetings and	14	A. Other than that survey, and
15	forums we've just discussed, are there any	15	there's an exit survey. Anytime an employee
16	other ways you've received feedback from	16	is leaving, it comes through Human Resources.
17	staff members in the exceptional education	17	And so that survey goes to staff members.
18	department regarding how they spend their	18	And so that survey data gets
19	time?	19	reported to the state annually from
20	MR. CUTLER: Object to the	20	exceptional education members.
21	form.	21	Q. Other than the different items
22	A. So other than formal meetings,	22	we just discussed, are you aware of any data
23	like, I see staff members, either, like, they	23	on how much time staff members in the
24	come by my office or my schools. They also	24	exceptional education department spend on
25	have communities of practice. Many of them	25	various job responsibilities?
	Page 127	_	Page 129
1		1	MR. CUTLER: Object to form.
2	often go to their groups just to kind of say	2	A. Other than that data and just
3	thank you for the work that they do.	3	kind of anecdotal information or from
4	Sometimes I do, like, a welcome opening for	4	conversations or discussion, those would be
5	the group.	5	the sources that I would have from how
6	So I make a habit of going and	6	they're spending their time.
7	meeting with the school psychologists, our	7	BY MR. RICE:
8	speech and language clinicians, and our other	8	Q. Let's talk a little further
l	various groups. So I get information from	9	about IEPs.
10	1	10	Are you familiar with TUSD's
11	I have virtual office hours	11	records regarding student IEPs?
l	once a month. And so we do have individuals	12	MR. CUTLER: Object to form,
13		13	it's vague.
14	that they spend on certain activities, and	14	A. Records? I'm familiar with
15	they ask questions or they provide	15	Synergy, the database where we keep IEP
l	information about concerns.	16	records. I'm familiar with, like, the state
17	BY MR. RICE:	17	reporting of IEP records.
18	Q. Have you ever conducted any	18	BY MR. RICE:
19	formal survey of how members in the	19	Q. And Synergy is a primary
20	exceptional education department spend their	20	location where IEP records are stored,
21	time?	21	correct?
22	MR. CUTLER: Object to form.	22	A. Correct.
23	A. So I personally have not	23	Q. Are there any other locations?
24	conducted a survey. Human Resources sent the	24	A. Unless someone were to, like,
25	survey to exceptional education staff	25	print a paper copy, that's our system, the

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1	Page 130 database that they're created and housed in,	1	A. So just looking at the grade
2			A. So just looking at the grade level and looking at the number of identified
3	Synergy. Q. And are 504 plans also housed	3	students, that's not typically the way that I
4	in Synergy?	_	review the data. I typically look at it
5	A. Correct.	5	holistically as, like, pre-K all the way up
6	Q. Let's mark as Exhibit 8,	6	through 12th grade. And so I typically
7	tab 40.	7	wouldn't look at grade levels specific with
8	(Whereupon, TUSD-Salmon-8,	8	the eligibility.
9	Native spreadsheet, was marked for	9	BY MR. RICE:
10	identification.)	10	Q. And so you would look at the
11	BY MR. RICE:	11	total number of students who had a particular
12	Q. And this is just going to be on	12	qualifying disability across all grades
13	the screen. It's an Excel.	13	levels in the district?
14	A. Okay.	14	A. Correct.
15	Q. And Exhibit 8 is a document	15	Q. Is there any other aggregate
16	produced by TUSD with the Bates 00493945.	16	data related to IEPs?
17	And, Dr. Salmon, is this a list	17	MR. CUTLER: Object to form,
18	of IEP information or let me rephrase.	18	it's vague.
19	Dr. Salmon, is this a list of	19	A. So we have data that comes from
20	different qualifying disabilities sorted by	20	our Synergy database. And so any IEP-related
21	grade level, number of students, and year?	21	information would first be in Synergy before
22	MR. CUTLER: Object to form,	22	it's in Desktop. And so those are the two
23	foundation.	23	platforms that would have IEP-related data.
24	A. Okay. I see the column with	24	BY MR. RICE:
25	the grade levels. I see the need	25	Q. And other than the grade level,
	Page 131		Page 133
1	description, that is a list of primary	1	number of students, and the type of
2	eligibilities. And then the number of	2	qualifying disability, there's not any other
3	students.	3	aggregate category of information available
4	BY MR. RICE:	4	in Synergy.
5	Q. Would there be a separate	5	MR. CUTLER: Object to form.
6	report in Synergy related to student IEPs?	6	A. The other categories of data
7	MR. CUTLER: Object to form,	7	would be, like, the school. So you could
8	foundation.	8	pull data by the school. You could pull data
9	A. So in Synergy, we had data	9	based on, like, the case carrier. Those are
10	based on the individual students. So you can	10	the teachers. You could pull data based on
11	put in a student's name, their student ID	11	the evaluator.
12	number, you could pull information up that	12	So you could pull data based
13	way.	13	on, like, what's assigned to a school
14	You could sort by school. So	14	psychologist or a speech and language
15	you could look at all of the schools and	15	pathologist or occupational therapist or
16	figure out, like, how many students have an	16	physical therapist.
17	IEP at that campus. And then you can look at	17	You could pull data based on
18	the whole district.	18	the services that a student gets in addition
19	So I see some numbers that look	19	to the eligibility category.
20	a little different than I would imagine in	20	BY MR. RICE:
21	some of these areas.	21	Q. So the data on the services a
22	BY MR. RICE:	22	student receives based on eligibility
23	Q. What looks different to you	23	category, that would be the aggregate number
24	than you would imagine?	24	of students who receive a particular service
25	MR. CUTLER: Object to form.	25	like counseling or transportation or extended

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	Page 134		Page 136
1		1	appears that it is saying that in the '23-'24
2	A. Correct.	2	school year, 33 students have a primary
3	Q. And then the data all the way	3	eligibility of autism, and these 33 students
4	down to the case carriers, that would be data	4	are kindergarteners.
5	based on how many students a particular	5	BY MR. RICE:
6	evaluator has evaluated or is otherwise	6	Q. Do you have any data regarding
7	dealing with?	7	whether any IEPs for TUSD students mentioned
8	A. Yes. So that would be the	8	defendants' platforms?
9	number of students that that individual is	9	A. No, I do not.
10	servicing. You could also pull data with the	10	Q. Are you aware of any evaluation
11	number of minutes that are on the IEPs for	11	by TUSD concluding a student's qualifying
12	each of the service providers.	12	disability was caused by social media?
13	Q. And that would be the number of	13	MR. CUTLER: Object to form.
14	minutes a service provider spent on a	14	A. So any exceptional education
15	particular IEP?	15	evaluation would have information on what the
16	A. Correct.	16	disability is. It typically would not have
17	Q. And if we read this	17	information about the causing factor.
18	spreadsheet, looking at the grade level and	18	So, no, I'm not aware of any
19	the disability, if you look at, for instance,	19	information that would say social media was a
20	row three, what that's saying is that in the	20	causing factor of a disability.
21	2023 to 2024 school year, 33 students were	21	BY MR. RICE:
22	diagnosed with autism in the district,	22	Q. Are you aware of any student
23	correct?	23	who has a diagnosis from a medical
24	MR. CUTLER: Object to form.	24	professional that one of the students is
25		25	addicted to one of the defendants' platforms?
	Page 135		Page 137
	- 18 18-		1 age 137
1	BY MR. RICE:	1	A. I do not have any information
1 2			-
1	BY MR. RICE:		A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If
2	BY MR. RICE: Q. 33 kindergartner students were	2	A. I do not have any information noting any particular platforms for any kind
2 3	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district?	2 3	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If
2 3 4	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form,	2 3 4	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it
2 3 4 5	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document.	2 3 4 5	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It
2 3 4 5 6	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this	2 3 4 5	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and
2 3 4 5 6 7	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level,	2 3 4 5 6 7	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform.
2 3 4 5 6 7 8	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of	2 3 4 5 6 7 8	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student
2 3 4 5 6 7 8 9	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of students, I'm reading it as in '23-'24, there	2 3 4 5 6 7 8 9	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student who has a diagnosis from a medical
2 3 4 5 6 7 8 9 10	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of students, I'm reading it as in '23-'24, there were 33 kindergarteners with the eligibility	2 3 4 5 6 7 8 9 10	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student who has a diagnosis from a medical professional that the student has a
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of students, I'm reading it as in '23-'24, there were 33 kindergarteners with the eligibility of autism. It doesn't necessarily tell us when that eligibility was determined, although, because it is kindergarten, usually that is the first year. BY MR. RICE: Q. But you understand the spreadsheet to mean that in the 2023, 2024 school year, there were 33 kindergarteners who had been determined to have, at some point in time, to have the qualifying	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student who has a diagnosis from a medical professional that the student has a technology addiction? A. Yes. Q. Where is that information stored? MR. CUTLER: Object to the form. A. So that information would be stored in a narrative form of either the evaluation or the IEP for that student. BY MR. RICE: Q. That's not categorized at any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of students, I'm reading it as in '23-'24, there were 33 kindergarteners with the eligibility of autism. It doesn't necessarily tell us when that eligibility was determined, although, because it is kindergarten, usually that is the first year. BY MR. RICE: Q. But you understand the spreadsheet to mean that in the 2023, 2024 school year, there were 33 kindergarteners who had been determined to have, at some point in time, to have the qualifying disability of autism?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student who has a diagnosis from a medical professional that the student has a technology addiction? A. Yes. Q. Where is that information stored? MR. CUTLER: Object to the form. A. So that information would be stored in a narrative form of either the evaluation or the IEP for that student. BY MR. RICE:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of students, I'm reading it as in '23-'24, there were 33 kindergarteners with the eligibility of autism. It doesn't necessarily tell us when that eligibility was determined, although, because it is kindergarten, usually that is the first year. BY MR. RICE: Q. But you understand the spreadsheet to mean that in the 2023, 2024 school year, there were 33 kindergarteners who had been determined to have, at some point in time, to have the qualifying disability of autism? MR. CUTLER: Object to the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student who has a diagnosis from a medical professional that the student has a technology addiction? A. Yes. Q. Where is that information stored? MR. CUTLER: Object to the form. A. So that information would be stored in a narrative form of either the evaluation or the IEP for that student. BY MR. RICE: Q. That's not categorized at any type of aggregate level, correct? A. Correct.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	BY MR. RICE: Q. 33 kindergartner students were diagnosed with autism in the district? MR. CUTLER: Object to form, foundation, misstates the document. A. So just based on how this document is reading, with the grade level, with the disability, and with the number of students, I'm reading it as in '23-'24, there were 33 kindergarteners with the eligibility of autism. It doesn't necessarily tell us when that eligibility was determined, although, because it is kindergarten, usually that is the first year. BY MR. RICE: Q. But you understand the spreadsheet to mean that in the 2023, 2024 school year, there were 33 kindergarteners who had been determined to have, at some point in time, to have the qualifying disability of autism?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I do not have any information noting any particular platforms for any kind of addiction from an outside provider. If there is something that says addiction, it would say something like technology. It wouldn't specifically say social media, and it would not typically say a platform. Q. Are you aware of any student who has a diagnosis from a medical professional that the student has a technology addiction? A. Yes. Q. Where is that information stored? MR. CUTLER: Object to the form. A. So that information would be stored in a narrative form of either the evaluation or the IEP for that student. BY MR. RICE: Q. That's not categorized at any type of aggregate level, correct?

35 (Pages 134 - 137)

1	Page 138		Page 140
1	with technology addiction?	1	Q. Are you aware of any student
2	A. No, I have not.	2	who has a diagnosis from a medical
3		3	professional that the student developed
	•	4	1
4	who has a diagnosis from a medical	5	anxiety because of the defendants' platforms?
5	professional that the student has attention	l	A. No, I am not. MR. RICE: Let's mark as
6	issues because of the defendants' platforms?	6	
7	MR. CUTLER: Object to form.	7	Exhibit 9, tab 11.
8	A. Yes, I am aware of students who	8	And Exhibit 9 is a document
9	have attention difficulties, not that would	9	produced by TUSD with the Bates
10	specifically say it's because of a platform.	10	00230762.
11	BY MR. RICE:	11	(Whereupon, TUSD-Salmon-9,
12	Q. Are you aware of any student	12	Native PowerPoint deck,
13	who has a diagnosis from a medical	13	SM_TUSD_00230762, was marked for
14	professional that they have sleep deprivation	14	identification.)
15	because of the defendants' platforms?	15	BY MR. RICE:
16	A. No, I'm not.	16	Q. Dr. Salmon, did you prepare
17	Q. Are you aware of any student	17	this presentation?
18	who has a diagnosis from a medical	18	A. This appears to be a PowerPoint
19	professional that they have suicidal ideation	19	dated February 1st of '23.
20	because of the defendants' platforms?	20	MR. CUTLER: Take your time to
21	A. No.	21	review it before you dive into any
22	Q. Are you aware of any student	22	questions.
23	who has a diagnosis from a medical	23	[Document review.]
24	professional that they have engaged in	24	A. Okay.
25	self-harm because of defendants' platforms?	25	
	Page 139		Page 141
1	MR. CUTLER: Object to form.	1	BY MR. RICE:
2	A. So, no, there wouldn't be a	2	Q. Have you seen this document
3	diagnosis for that. There could be, like, a	3	before, Dr. Salmon?
4	crisis plan or a crisis intervention process	4	A 37 T 1
5		l	A. Yes, I have.
1	or maybe a safety plan that might have that	5	Q. Did you prepare it?
6	level of information. It would not be part	5 6	·
		l	Q. Did you prepare it?
6	level of information. It would not be part	6	Q. Did you prepare it?A. Yes, I did.
6 7	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the	6 7	Q. Did you prepare it?A. Yes, I did.Q. What was the purpose of the presentation?A. This presentation was an update
6 7 8	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention	6 7 8	 Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education
6 7 8 9	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the	6 7 8 9	 Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any
6 7 8 9 10	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention	6 7 8 9 10	 Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education
6 7 8 9 10 11	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants'	6 7 8 9 10 11	 Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any
6 7 8 9 10 11 12	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms?	6 7 8 9 10 11 12	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from
6 7 8 9 10 11 12 13	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form.	6 7 8 9 10 11 12 13	 Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It
6 7 8 9 10 11 12 13 14	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze	6 7 8 9 10 11 12 13 14	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from
6 7 8 9 10 11 12 13 14 15	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's	6 7 8 9 10 11 12 13 14 15	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns.
6 7 8 9 10 11 12 13 14 15 16	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no,	6 7 8 9 10 11 12 13 14 15 16	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation
6 7 8 9 10 11 12 13 14 15 16 17	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not.	6 7 8 9 10 11 12 13 14 15 16 17	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for?
6 7 8 9 10 11 12 13 14 15 16 17	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not. BY MR. RICE:	6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for? A. And so this was presented to
6 7 8 9 10 11 12 13 14 15 16 17 18	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not. BY MR. RICE: Q. Are you aware of any student	6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for? A. And so this was presented to our academic leadership team. That includes,
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not. BY MR. RICE: Q. Are you aware of any student who has a diagnosis from a medical	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for? A. And so this was presented to our academic leadership team. That includes, like, our superintendent, our regional
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not. BY MR. RICE: Q. Are you aware of any student who has a diagnosis from a medical professional that the student became	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for? A. And so this was presented to our academic leadership team. That includes, like, our superintendent, our regional superintendents, my supervisor, the assistant
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not. BY MR. RICE: Q. Are you aware of any student who has a diagnosis from a medical professional that the student became depressed because of the defendants'	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for? A. And so this was presented to our academic leadership team. That includes, like, our superintendent, our regional superintendents, my supervisor, the assistant superintendent of curriculum instruction, as
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	level of information. It would not be part of a diagnosis, no. BY MR. RICE: Q. Have you ever analyzed the number of crisis plans or crisis intervention processes that mentioned defendants' platforms? MR. CUTLER: Object to form. A. So I typically do not analyze the crisis plans at a global level. It's usually an individual student level. So, no, I have not. BY MR. RICE: Q. Are you aware of any student who has a diagnosis from a medical professional that the student became depressed because of the defendants' platforms?	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Did you prepare it? A. Yes, I did. Q. What was the purpose of the presentation? A. This presentation was an update on the condition of the exceptional education department. Just information of any concerns, and then also challenges, staffing, and some ideas about how to move forward. It also gave an opportunity to get feedback from colleagues regarding these concerns. Q. And who was the presentation for? A. And so this was presented to our academic leadership team. That includes, like, our superintendent, our regional superintendents, my supervisor, the assistant superintendent of curriculum instruction, as well as some other district-level directors.

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1	Page 142	1	Page 144
$\frac{1}{2}$	training for principals. This was also shared with	1	Q. Are you aware of any data
2		2 3	regarding TUSD students' use of social media? A. No, I'm not.
3	assistant directors and the leadership in the	4	·
5	exceptional education department. This information was also	5	Q. Are you aware of any data regarding the time TUSD students spend using
6	shared with other Ex Ed staff members, just	6	social media?
7	to also get their feedback.	7	A. No, I'm not.
8	Q. Could you turn to slide 5?	8	Q. Are you aware of any data
9	It's titled Exceptional Education Students in	9	regarding which applications students use?
10	TUSD SY 21-22.	10	A. No, I'm not.
11	A. Okay.	11	Q. Are you aware of any data on
12	Q. Dr. Salmon, this slide shows	12	how much time TUSD students spend using
13	the number of students in TUSD by different	13	social media for an educational purpose?
14	disability categories for the 2021-2022	14	A. No, I'm not.
15	school year, correct?	15	Q. Are you aware of any data on
16	A. Correct.	16	which features of social media platforms TUSD
17	Q. And so in the 2021 to 2022	17	students use?
18	school year, 501 students had the primary	18	A. No. not data.
19	qualifying disability of autism, correct?	19	Q. Are you aware of any data
20	A. Yes, correct.	20	regarding the time TUSD students spend on
21	Q. And when you see the percentage	21	different applications on their phones?
22	there, that's the percentage of the total	22	MR. CUTLER: Object to form,
23	number of students the exceptional education	23	asked and answered.
24	department serves that had this as their	24	A. Data that applications on
25	primary disability, correct?	25	their phones? No.
	Page 143		Page 145
1	A. Correct.	1	BY MR. RICE:
2	Q. And 442 students had	2	Q. Are you aware of any data
3	developmental delay.	3	regarding how much time TUSD students spend
4	A. Correct.	4	sending text messages?
5	Q. 454 students had intellectual	5	A. No.
6	disability.	6	Q. Are you aware of any data
7	A. Yes.	7	regarding how much time TUSD students spend
8	Q. 2,243 students had a specific	8	streaming content?
9	learning disability.	9	A. No.
10	A. Correct.	10	Q. Are you aware of any data
11	Q. And 941 had a speech or	11	regarding how much time TUSD students spend
12	language impairment?	12	playing video games?
13	A. Correct.	13	A. No.
14	MR. RICE: We can go off the	14	Q. Are you aware of any data
15	record.	15	regarding the effects of video games on TUSD
16	THE VIDEOGRAPHER: We are going	16	students?
17	off record. The time is 10:44.	17	MR. CUTLER: Object to form.
18	(Recess taken, 10:44 a.m. to	18	A. Not necessarily data on that
19	11:01 a.m. MST)	19	information. Certainly there's sometimes
20	THE VIDEOGRAPHER: We are going	20	there's conversations or communications about
21	back on the record. The time is	21	concerns regarding the impacts. Sometimes
22	11:01.	22	there's something that happens, whether it's
23	BY MR. RICE:	23	after school or on the weekends, and then
24	Q. Welcome back, Dr. Salmon.	24	parents may call or principals may call or
25	A. Thank you.	25	schedule a meeting to discuss something

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	D 146		P. 140
1	Page 146 that's happened that's had a negative impact	1	Page 148 BY MR. RICE:
2	on students.	2	Q. And Exhibit 6 [sic] are TUSD
3	BY MR. RICE:	3	Second Amended Answers to Defendants'
4	Q. Parents have expressed concerns	4	Interrogatories, Set 3.
5	to you that video games might have a negative	5	Dr. Salmon, if you turn to the
1	impact on TUSD students?		back of this document, you'll see there is a
6 7	MR. CUTLER: Object to form.	6	chart.
8	A. Their student in particular, as	8	There's one chart that has
9	an individual student from a parent.	9	Specialist Counselor in the top left corner,
10	BY MR. RICE:		= = =
11		10 11	and then on the next page is a chart that has school year, position, 2023. ES teachers is
	,		
12	tracking software to track the time students	12 13	in the top left corner.
14	spend in applications on their phones? MR. CUTLER: Object to form.	13	Do you see that? A. Just a moment.
15	A. No, I have not. I don't have	15	
16	access to students' phones.	16	Okay. Yes. Q. Are you familiar with either of
17	BY MR. RICE:	17	Q. Are you familiar with either of those charts?
18	Q. And you don't know of anyone at	18	[Document review.]
19	TUSD who does have access to students'	19	A. So I am seeing the year. It
	phones, correct?	20	appears ES may mean elementary school, middle
$\begin{vmatrix} 20 \\ 21 \end{vmatrix}$	A. No, I do not.	21	school. I am not familiar with this chart,
$\begin{vmatrix} 21\\22\end{vmatrix}$		22	no.
23		23	BY MR. RICE:
23	TUSD parents about the effects of social media?	23	
25			Q. Okay. And let's go to the page
23	A. Not directly. There is a	25	right before that that starts with Specialist
	Page 1/17		
1	Page 147	1	Page 149 Counselor
1 2	parent survey that goes out annually. I	1 2	Counselor.
2	parent survey that goes out annually. I don't think anything directly related to	2	Counselor. A. Okay.
2 3	parent survey that goes out annually. I don't think anything directly related to social media is a question on there.	2 3	Counselor. A. Okay. Q. Have you ever seen this chart
2 3 4	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of	2 3 4	Counselor. A. Okay. Q. Have you ever seen this chart before?
2 3 4 5	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their	2 3 4 5	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar.
2 3 4 5 6	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online?	2 3 4 5 6	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw
2 3 4 5 6 7	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online? A. I wouldn't say that there's a	2 3 4 5 6 7	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw this chart?
2 3 4 5 6 7 8	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online? A. I wouldn't say that there's a survey, but there's information that comes	2 3 4 5 6 7 8	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw this chart? A. The first time I saw this chart
2 3 4 5 6 7 8 9	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online? A. I wouldn't say that there's a survey, but there's information that comes from parents of feedback about the amount of	2 3 4 5 6 7 8 9	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw this chart? A. The first time I saw this chart was school year 2021.
2 3 4 5 6 7 8 9	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online? A. I wouldn't say that there's a survey, but there's information that comes from parents of feedback about the amount of screen time that their students have.	2 3 4 5 6 7 8 9	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw this chart? A. The first time I saw this chart was school year 2021. Q. What was the context in which
2 3 4 5 6 7 8 9 10 11	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online? A. I wouldn't say that there's a survey, but there's information that comes from parents of feedback about the amount of screen time that their students have. Q. And that's anecdotal	2 3 4 5 6 7 8 9 10 11	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw this chart? A. The first time I saw this chart was school year 2021. Q. What was the context in which you saw this chart?
2 3 4 5 6 7 8 9 10 11 12	parent survey that goes out annually. I don't think anything directly related to social media is a question on there. Q. Are you aware of any survey of TUSD parents about the amount of time their children spend online? A. I wouldn't say that there's a survey, but there's information that comes from parents of feedback about the amount of screen time that their students have. Q. And that's anecdotal information?	2 3 4 5 6 7 8 9 10 11 12	Counselor. A. Okay. Q. Have you ever seen this chart before? A. Yes. This looks familiar. Q. When was the first time you saw this chart? A. The first time I saw this chart was school year 2021. Q. What was the context in which you saw this chart? MR. CUTLER: Object to form,
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1 Q. And there's a column with the 2 weight that with weight that lists certain 3 percentages. 4 A. Yes. 5 Q. You haven't seen that column 6 before, then, either, correct? 7 A. That does not look familiar. 8 Q. So based on our prior 9 discussions, you supervise the positions of 1 social worker, psychologists, behavior 11 intervention specialists in the exceptional 12 education department, Ex Ed intervention 13 specialists, correct? 14 A. Correct. 15 Q. Do you supervise any of the 16 other positions listed on this chart? 17 A. Specialist counselor, no. 18 Social worker psychologist, yes. School 19 counseling intern, no. Psychologist 20 intern/extern, yes. Psychologist, yes. 21 We do have one access nurse. I 22 don't know if that is this person. But, of 23 course, we have our health department that 24 has other nurses, you know, health 25 assistants. Exit intervention specialists, 27 percentages, 3 this particular chart, like, the different 4 roles that I have referred to. I was 5 consulted about, like, the percentages of 6 time or information about those roles. It 7 would have been more than a month. 8 Q. Do you know whe percentages 9 were chosen? 10 A. I do not know exactly how the 11 percentages were chosen. I do know that I 12 was asked some questions about the amount of 12 time that these individuals are spent on, 14 like, social and emotional needs, on behavior 15 concerns, technology, social media-related 16 other positions listed on this chart? 17 yes. Outside behaviors intervention 19 that seems of the time or information about those roles. It 10 contact and the seem own than a month. 11 was asked some questions about the amount of 12 time that these individuals are spent on, 14 like, social and emotional needs, on behavior 15 concerns, technology, social media-related 16 concerns, technology in the semiount of time that these individuals are spent on, 17 like, the					
2 weight that — with weight that lists certain 3 percentages. 4 A. Yes. 5 Q. You haven't seen that column 6 before, then, either, correct? 7 A. That does not look familiar. 8 Q. So based on our prior 9 discussions, you supervise the positions of 10 social worker, psychologists, behavior 11 intervention specialists in the exceptional 12 education department, Ex Ed intervention 13 specialists, correct? 14 A. Correct. 15 Q. Do you supervise any of the 16 other positions listed on this chart? 17 A. Specialist counselor, no. 18 Social worker psychologist, yes. 19 We do have one access nurse. I 20 don't know if that is this person. But, of 21 yes. Outside behaviors intervention specialists, yes. 22 So bat's all yes. 3 Page 151 2 yes. Outside behaviors intervention specialists, yes. 3 Page 151 2 yes. Outside behaviors intervention specialists, yes. 4 Q. You don't supervise restorative 5 practice facilitators, correct? 5 A. No. Correct. 7 Q. And for any of these positions, were you consulted in whether to list any of these positions to this charr? 10 A. I was consulted about usocial worker psychologists specialists, yes. 3 Were you consulted in whether to list any of the spositions to this charr? 4 A. No. Correct. 5 Q. Who first suggested that the percentages were chosen. I do know that I was asked about 12 was asked some questions about the amount of 31 time that these individuals are spent on, 14 like, social and emotional needs, on behavior 15 concerns, technology, social media-related 16 concerns, technology, social media-related 17 percentages. 19 Q. Did you chose the percentages 9 were chosen? 10 A. I gave input on the information 10 that seems to be reflected in the percentages 11 that seems to be reflected in the percentages 12 Q. You didn't estimate the 12 percentages with a percentages 13 deducation department. 11 the particular roles in the exceptional 2 education departme	1		e 150	1	Page 152
3 percentages. 4 A. Yes. 5 Q. You haven't seen that column 6 before, then, either, correct? 7 A. That does not look familiar. 8 Q. So based on our prior 9 discussions, you supervise the positions of social worker, psychologists, behavior 11 intervention specialists in the exceptional 12 education department, Ex Ed intervention 13 specialists, correct? 14 A. Correct. 15 Q. Do you supervise any of the 16 other positions listed on this chart? 17 A. Specialist counselor, no. 18 Social worker psychologist, yes. School 19 counseling intern, no. Psychology 19 interneetern, yes. Psychologyst, yes. 21 We do have one access nurse. I 22 don't know if that is this person. But, of 23 course, we have our health department that 24 has other nurses, you know, health 25 assistants. Exit intervention specialists, yes. 3 So that's all yes. 4 Q. You don't supervise restorative 5 practice facilitators, correct? 6 A. No. Correct. 7 Q. And for any of these positions, 8 were you consulted in whether to list any of 9 these positions to this chart? 10 A. I do not know exactly how the 11 percentages were chosen. I do know that I 12 was asked some questions about the amount of 13 time that these individuals are spent on, 14 like, social and emotional needs, on behavior 15 concerns, technology, social media-related 16 concerns, that part of their job role. 17 Q. Did you chose the percentages 18 A. I gave input on the information 19 that seems to be reflected in the 20 percentages. 21 Q. You didn't estimate the 22 percentages, though? 23 MR. CUTLER: Object to form. 24 A. Well, I estimated information 25 pecialist, yes. Behavior specialists, yes. 26 Q. You don't supervise restorative 27 practice facilitators, correct? 28 A. I don't recall an exact date. 29 Pregenting for social worker master's should 20 be 60%? 21 the particular chart like, the different 21 the particular chart, like, the different 22 move them or information about those roles. It 23 the particular chart like, the different 24 on the positions of time that these individuals	1	•			
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12 education department, Ex Ed intervention 13 specialists, correct? 13 time that these individuals are spent on, 14 14. A. Correct. 14 like, social and emotional needs, on behavior 15 concerns, technology, social media-related 16 other positions listed on this chart? 16 concerns, technology, social media-related 17					
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21 We do have one access nurse. I 22 don't know if that is this person. But, of 23 course, we have our health department that 24 has other nurses, you know, health 25 assistants. Exit intervention specialist, Page 151 1 yes. Outside behaviors intervention 2 specialist, yes. Behavior specialists, yes. 3 So that's all yes. 4 Q. You don't supervise restorative 5 practice facilitators, correct? 6 A. No. Correct. 7 Q. And for any of these positions, 8 were you consulted in whether to list any of 9 these positions to this chart? 10 A. I was consulted about social 11 workers, psychologists, psychologists 12 interns/externs, and behavioral specialists 13 and behavior intervention specialists 14 Q. When were you first consulted 15 regarding those positions? 16 A. I don't recall an exact date. 17 Whatever date that I was first communicated 18 with about information regarding the 19 exceptional education department and roles. 20 Q. Did you suggest that TUS 21 were you first consulted on this chart within 22 the past week? 23 MR. CUTLER: Object to form. 24 A. Well, I estimate the 22 percentages, though? 23 MR. CUTLER: Object to form. 24 A. Well, I estimate the 24 A. Well, I estimate the 26 percentages, though? 24 A. Well, I estimate the 26 percentages, though? 25 A. No. 21 Q. You didn't estimate the 22 percentages, though? 24 A. Well, I estimate the 26 percentages, though? 26 MR. CUTLER: Object to form. 27 A. I did. 28 Q. You didn't estimate the 29 percentages, though? 24 A. Well, I estimate the 24 A. Well, I estimate the 26 percentages, though? 26 MR. CUTLER: Object to form. 27 A. I did. 28 Q. You didn't estimate the 29 percentages, though? 24 A. Well, I estimate the 24 A. Well, I estimate the 26 percentages in the exceptional education department and roles. 29 Q. Who first suggested that the 20 percentages in the exceptional education department. 3 BY MR. CUTLER: Object to form. 4 A. That's correct. 4 Q. Who first suggested that the 19 positions that you supervise should be included in 19 A. So when I first received					
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6 A. No. Correct. 7 Q. And for any of these positions, 8 were you consulted in whether to list any of 9 these positions to this chart? 10 A. I was consulted about social 11 workers, psychologists, psychologists 12 interns/externs, and behavioral specialists 13 and behavior intervention specialists, yes. 14 Q. When were you first consulted 15 regarding those positions? 16 A. I don't recall an exact date. 17 Whatever date that I was first communicated 18 with about information regarding the 19 exceptional education department and roles. 20 Q. Did you suggest that TUS 21 were you first consulted on this chart within 22 the past week? 23 A. No. 24 Q. Past two weeks? 6 be 60%? 7 A. I did. 8 Q. You did? 9 A. Mm-hmm. (Witness nods.) 10 Q. And is that true for the other 11 positions that you supervised, that you first suggested the percentage associated with each 11 positions that you supervised that you first suggested the percentage associated with each 12 suggested the percentage associated with each 13 of those positions? 14 A. That's correct. 15 Q. Who first suggested that the 16 positions you supervise should be included in 17 this chart? 18 MR. CUTLER: Object to form. 19 A. So when I first received a 20 request about the roles that I supervise that 21 are potential roles, I suggested the social 22 worker and the various levels of social 23 worker, as well as the psychologist roles, 24 including the behavior roles, because that is	5			5	
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21 were you first consulted on this chart within 22 the past week? 23 A. No. 24 Q. Past two weeks? 21 are potential roles, I suggested the social 22 worker and the various levels of social 23 worker, as well as the psychologist roles, 24 including the behavior roles, because that is	20			20	request about the roles that I supervise that
22 the past week? 23 A. No. 24 Q. Past two weeks? 22 worker and the various levels of social 23 worker, as well as the psychologist roles, 24 including the behavior roles, because that is	21			21	= = = = = = = = = = = = = = = = = = = =
24 Q. Past two weeks? 24 including the behavior roles, because that is	22	the past week?		22	
24 Q. Past two weeks? 24 including the behavior roles, because that is	23	_		23	worker, as well as the psychologist roles,
	24	Q. Past two weeks?		24	including the behavior roles, because that is
25 A. No. 25 one of the primary functions of the jobs of	25	A. No.		25	one of the primary functions of the jobs of

39 (Pages 150 - 153)

	Page 154		. 1.7	Page 156
1	those individuals.	1	****	
2	BY MR. RICE:	2	(Whereupon, TUSD-Salmon-11,	
3	Q. So were you asked	3	Declaration of Dr. Sabrina Salmon, was	
4	MR. CUTLER: I'm going to	4	marked for identification.)	
5	object to attorney-client privilege to	5	BY MR. RICE:	
6	whatever that question is going to be.	6	Q. And Exhibit 11 is the	
7	BY MR. RICE:	7	Declaration of Dr. Sabrina Salmon.	
8	Q. What do you understand these	8	A. Okay.	
9	percentages to represent?	9	Q. And, Dr. Salmon, this is a	
10	A. I understand these percentages	10	declaration you signed in this case, correct?	
11	to represent the amount of time that	11	[Document review.]	
12	individual staff members are spent on	12	A. Yes, that's correct.	
13	behavior concerns, social-emotional concerns,	13	BY MR. RICE:	
14	behavior or social-emotional concerns that	14	Q. And you signed it under penalty	
15	are connected to technology, that are	15	of perjury?	
	connected to emotional disturbances,	16	A. Correct.	
	emotional disabilities, or other health	17	Q. Did you write this declaration?	
	impairments that have a connection to a	18	A. I wrote this declaration in	
19	mental health component.	19	collaboration with counsel, legal counsel.	
20	Q. Do you understand these	20	Q. Who wrote the first draft of	
21	percentages to be specifically connected to	21	the declaration?	
22	defendants' platforms?	22	MR. CUTLER: Object to form.	
23	A. Not specifically connected.	23	A. So I did receive some	
24	These are more of, like, mental health	24	information on the different categories for	
25	concerns that students are experiencing and	25	the different sections of this document.	
25	concerns that students are experiencing and	25	the different sections of this document.	
1	Page 155 staff members, the amount of time that	1	BY MR. RICE:	Page 157
2	they're spending supporting students in those	2	Q. So counsel authored the first	
3	areas.	3	draft of the declaration?	
4	Q. So this would include mental	4	MR. CUTLER: Object to form,	
5	health concerns related to supporting	5	foundation, misstates the testimony.	
6	students' disabilities?	6	A. Yes.	
7	MR. CUTLER: Object to form,	7	BY MR. RICE:	
		8		
8	misstates testimony.	9	Q. When did you first see a draft	
9	A. So this would include, like,		of the declaration?	
	whatever mental health concern or counseling	10	A. Roughly two weeks ago.	
11	that a student has.	11	Q. Did you make any edits to the	
12	BY MR. RICE:	12	draft you received?	
13	Q. Including incidents relating to	13	A. Yes.	
14	their underlying qualitying disability?	14	Q. What changes did you make?	
	their underlying qualifying disability?	4 ~	A Lat's soo So I typod in my	
15	A. Yes.	15	A. Let's see. So I typed in my	
16	A. Yes.Q. Let's go to the next page of	16	name. I typed in the information regarding	
16 17	A. Yes.Q. Let's go to the next page of this chart.	16 17	name. I typed in the information regarding my education and my bachelor's degree from	
16 17 18	A. Yes. Q. Let's go to the next page of this chart. Were you consulted o n the	16 17 18	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci	fic
16 17 18 19	A. Yes. Q. Let's go to the next page of this chart. Were you consulted on the positions listed on this chart?	16 17 18 19	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from	fic
16 17 18 19 20	A. Yes. Q. Let's go to the next page of this chart. Were you consulted on the positions listed on this chart? A. No, I was not.	16 17 18 19 20	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from Capella.	fic
16 17 18 19 20 21	A. Yes. Q. Let's go to the next page of this chart. Were you consulted o n the positions listed on this chart? A. No, I was not. Q. Were you consulted in the	16 17 18 19 20 21	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from Capella. I typed in the amount of	fic
16 17 18 19 20	A. Yes. Q. Let's go to the next page of this chart. Were you consulted o n the positions listed on this chart? A. No, I was not. Q. Were you consulted in the weights assigned to the positions on this	16 17 18 19 20	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from Capella.	fic
16 17 18 19 20 21	A. Yes. Q. Let's go to the next page of this chart. Were you consulted o n the positions listed on this chart? A. No, I was not. Q. Were you consulted in the	16 17 18 19 20 21	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from Capella. I typed in the amount of	fic
16 17 18 19 20 21 22	A. Yes. Q. Let's go to the next page of this chart. Were you consulted o n the positions listed on this chart? A. No, I was not. Q. Were you consulted in the weights assigned to the positions on this	16 17 18 19 20 21 22	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from Capella. I typed in the amount of experience that I have working in the K-12	fic
16 17 18 19 20 21 22 23	A. Yes. Q. Let's go to the next page of this chart. Were you consulted on the positions listed on this chart? A. No, I was not. Q. Were you consulted in the weights assigned to the positions on this chart?	16 17 18 19 20 21 22 23	name. I typed in the information regarding my education and my bachelor's degree from Winthrop University, my master's from Paci Lutheran University, and my doctorate from Capella. I typed in the amount of experience that I have working in the K-12 education setting.	fic

40 (Pages 154 - 157)

	Daga 150		Page 160
1	Page 158 I typed in information about my	1	Page 160 preferred activity, such as using social
2	previous role as assistant director, as well	2	media, and the connection to a formal
3	as the role as principal.	3	behavior plan. And these are behavior plans
4	I included information about my	4	that I typically see in an IEP or a 504 plan.
5	position as senior director with providing	5	Let's see. I added information
6	the mentorship and coaching of the five	6	about some fake social media accounts.
7	assistant directors and the 20 additional	7	I added information about the
8	staff members.	8	increase of anxiety in students struggling to
9	I put information about the	9	maintain social connection with peers and
10	conflict resolution professional development.	10	adults, and seeing more suicidal ideation and
11	Then information about the special education	11	self-injurious behaviors.
12	state panel that I advised through the	12	I added information about the
13	Department of Education, as well as the	13	changes in the issues that I've seen since
14	collaboration with Pima County	14	being an assistant director or overseeing the
15	Superintendent's office.	15	assistant directors and the program
16	I added information about the	16	coordinators, social workers, school
17	various social work and school psychologists,	17	psychologists, behavior specialists, and
18	as well as behavior team members that I	18	instructional specialists.
19	supervise.	19	Information about bullying and
20	Let's see. I added information	20	harassment.
21	about the staff meetings with the IEPs, the	21	Let's see. Information about
22	504 information.	22	encouraging fights, physical aggression, and
23	I added information about the	23	antisocial behaviors.
24	students that we support that have social and	24	Information about more property
25	behavior goals, and that are having a	25	damage to district property, as well as
	Page 159		Page 161
1	negative influence on their community	1	increased discipline.
2	situations and school.	2	I added information about the
3	I also added information about	3	various roles that I oversee, the assistant
4	that there's a substantial amount of time	4	directors, program coordinators, social
5	that our social workers, school	5	workers, school psychologists, behavior
6	psychologists, exceptional education	6	specialists, instructional specialists, and
7	teachers, and paraprofessionals are spending	7	just more requests to provide services
8	with students who have concerns with social	8	because students are engaging in more
9	media impacts.	9	disruptive behaviors in the educational
10	I put information about seeing	10	environment.
11	a growing concern with the addictive,	11	And engaging in behaviors to
12	compulsive, and problematic use among	12	escape from the classroom, and focusing on
13	students.	13	completing academic tasks and increasing
		14	requests for counseling and related services.
14	I put in information about some	17	
		15	Also, the need for more
14	I put in information about some		specialized support, such as hiring
14 15	I put in information about some concerns regarding prolonged screen time. I	15	
14 15 16	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight	15 16	specialized support, such as hiring
14 15 16 17	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight years I've noticed an increase in students	15 16 17	specialized support, such as hiring registered behavior technicians. That's
14 15 16 17 18	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight years I've noticed an increase in students engaging in platforms.	15 16 17 18	specialized support, such as hiring registered behavior technicians. That's something new that we've seen an increase in
14 15 16 17 18 19	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight years I've noticed an increase in students engaging in platforms. Let's see. Also, I added	15 16 17 18 19	specialized support, such as hiring registered behavior technicians. That's something new that we've seen an increase in the last two years.
14 15 16 17 18 19 20	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight years I've noticed an increase in students engaging in platforms. Let's see. Also, I added information about the last four years,	15 16 17 18 19 20	specialized support, such as hiring registered behavior technicians. That's something new that we've seen an increase in the last two years. And then, the collaboration
14 15 16 17 18 19 20 21 22 23	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight years I've noticed an increase in students engaging in platforms. Let's see. Also, I added information about the last four years, specifically information about students becoming more physically aggressive when using first-then charts.	15 16 17 18 19 20 21 22 23	specialized support, such as hiring registered behavior technicians. That's something new that we've seen an increase in the last two years. And then, the collaboration with the student relations department and school safety regarding bullying, school threats, and the code of conduct.
14 15 16 17 18 19 20 21 22	I put in information about some concerns regarding prolonged screen time. I also put information about during the eight years I've noticed an increase in students engaging in platforms. Let's see. Also, I added information about the last four years, specifically information about students becoming more physically aggressive when	15 16 17 18 19 20 21 22	specialized support, such as hiring registered behavior technicians. That's something new that we've seen an increase in the last two years. And then, the collaboration with the student relations department and school safety regarding bullying, school

41 (Pages 158 - 161)

1	Page 162	1	nomento and listed a nomento as you had	Page 164
1	workers, school psychs, behavior specialists,	1	1	
2	and instructional specialists spend just in	2	previously chosen in connection with	
3	an overall social media-related impacts on	3	Exhibit 10?	
4	the behavior.	4	[Document review.]	
5	Again, the number of teachers,	5	A. Yes. 60% social workers,	
6	paraprofessionals, social workers, and school	6	clinical social workers, 80%, yes. 75%, yes	•
7	psych combined, roughly the amount of time	7	50% for social workers.	
8	that they are spending responding to behavior	8	Yes, that seems in line.	
9	plans and emotional regulation needs for	9	BY MR. RICE:	
10	students.	10	Q. And then, for paragraph 17, is	
11	And then, there's the	11	your estimate of the hours a day spent	
12	information about the percentages that the	12	specific to the time spent on defendants'	
13	various social workers are spending with	13	platforms?	
14	their time, and then that comparison to going	14	A. Not specifically to defendants'	
15	back to 2016 to 2017.	15	platforms, no.	
16	Q. And those, the percentages	16	Q. And so that three hours a day	
17	MR. CUTLER: I'm not sure that	17	includes the time spent on student emotion	
18	she's done.	18	regulation needs more generally?	
19	Are you done?	19	MR. CUTLER: Object to form,	
20	A. Oh, not yet. I have the back	20	misstates testimony.	
21	here.	21	You can answer.	
22	MR. CUTLER: Okay.	22	A. So the three hours a day would	
23	A. So then, kind of the cause of	23	be disability specific needs. Could be	
24	the percentages of time, just taking a look	24	social-emotional skill development, student	
25	at how that's minimizing time from	25	self-regulation. So a variety of different	
	Page 163			Page 165
1	establishing systems and promoting that	1	skills that are behavioral based.	
2	academic growth and development.	2	BY MR. RICE:	
3	And then, less time on the	3	Q. And they're tied to the	
4	classroom observations, the staff feedback,	4	student's qualifying disability?	
5	analyzing of the progress and future needs of	5	A. Yes. Correct.	
6	students and staff.	6	Q. Did you review any documents	
7	And then, the majority of the	7	before signing this declaration?	
8	day, just really being dedicated to	8	A. Any documents?	
9	intervention and some social media-related	9	Q. Any other documents?	
10	matters.	10	A. Any other documents? No, no	
11	And just that increased time	11	other documents. No.	
12	would be preferred to be spent on inclusive	12	Q. Other than counsel, are you	
13	practices and academic needs, as well as the	13	aware whether anyone else reviewed the	
14	specific disability influenced needs that are	14	declaration prior to you signing?	
15	in the IEPs.	15	A. No, I'm not aware of anybody	
16	We just want our team would	16	else reviewing it prior to signing it.	
17	like to have more time with celebrations and	17	Q. Did you review any documents	
18	going to performances and just having that	18	when estimating the percentages listed in	
19	aspect and that connection with students, our	19	paragraph 18?	
20	school communities, and our parents.	20	[Document review.]	
21	_	21	A. No specific documents were	
22	So, yes, those are the things that I added.	22	reviewed.	
23	BY MR. RICE:	23	BY MR. RICE:	
		l		
24	Q. Thank you.	24	Q. Did you conduct any interviews	
25	In paragraph 18, are the	25	relating to those percentages?	

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			5
1	Page 166	1	Page 168 BY MR. RICE:
1	MR. CUTLER: Object to form.	_	
2	A. I have previously conducted	2	Q. And prior to 2020 or prior
3	interviews or, like, anecdotal data from	3	to when you became the principal at Mary
4	speaking to these individuals, either, like,	4	Meredith, you were assistant director of
5	at a committee meeting or with the related	5	exceptional education, correct?
6	service provider group or other opportunities	6	A. Correct.
7	to interact. I did not conduct a specific	7	Q. Did you conduct any research to
8	interview for this purpose, no.	8	inform your opinions for that time period?
9	BY MR. RICE:	9	MR. CUTLER: Object to form.
10	Q. Other than counsel, did you	10	A. It would be similar information
11	consult with anyone else in estimating the	11	that's housed in Synergy about the number of
12	percentages in paragraph 18?	12	students that qualify under each eligibility
13	A. Other than counsel and	13	of disability, and then also the number of
14	anecdotal information that I have from	14	minutes of their IEPs that's housed in
15	previous conversations with these direct	15	Synergy.
16	service providers, no, I didn't consult with	16	BY MR. RICE:
17	anybody else.	17	Q. Did you consult Synergy when
18	Q. Did you send out any surveys	18	estimating these percentages?
19	related to the percentages listed in	19	MR. CUTLER: Object to form,
20	paragraph 18?	20	asked and answered.
21	A. No, I did not.	21	A. So Synergy is a database, so I
22	Q. Did you analyze any data when	22	did review information that was contained in
23	estimating the percentages listed in	23	Synergy about this information.
24	paragraph 18?	24	BY MR. RICE:
25	A. I did look at the number of	25	Q. And you reviewed the number of
	Page 167		Page 169
1	students that have either a behavior goal or	1	students with behavioral plans, the number of
2	counseling minutes in IEP.	2	minutes relating to counseling IEPs, correct?
3	Q. And that information is stored	3	A. Yes, the number of students
4	in Synergy?	4	with emotional disability as a primary
5	A. Correct.	5	eligibility.
6	Q. And the behavioral goals or	6	Q. And by emotional disability,
7	counseling minutes are not specific to	7	you're referring to the emotional disturbance
8	defendants' platforms, correct?	8	category?
9	A. Correct.	9	A. Correct.
10	Q. From paragraph the excuse	10	Q. Were there any other categories
11	1 0 1	11	of disability you consulted?
12	The percentages in paragraph 18	12	A. Other health impairment is
13	cover the time period from 2016 to the	13	another category that also pulls minutes that
14	present, correct?	14	are counseling minutes if a student does have
15	A. Correct.	15	that.
16	Q. And from 2019 to 2020, you were	16	Q. And the qualifying disability
17	not a director of exceptional education,	17	of emotional disability is not specific to
18	correct?	18	defendants' platforms, correct?
19	A. Correct.	19	A. Correct.
20	Q. Did you conduct any research to	20	Q. And the qualifying disability
21	inform your opinions for that school year?	21	of other health impairments is not specific
22	MR. CUTLER: Object to form.	22	to defendants' platforms either, correct?
23	A. So not specifically for that	23	A. Correct.
24	school year, no.	24	Q. If you let's I want to
25	school year, no.	25	focus on paragraph 6.
			100us on paragraph o.

43 (Pages 166 - 169)

	2 400			
1	Page 170	1		Page 172
1	In paragraph 6 you refer to	1	Q. With respect to the student who	
2	social workers, correct?	2	has autism and the issue with screen time,	
3	A. Correct.	3	that would be any screen time, correct?	
4	Q. The work of the social workers	4	A. Yes.	
5	at TUSD is not limited to social media,	5	MR. CUTLER: Object to the	
6	correct?	6	form.	
7	MR. CUTLER: Objection to the	7	A. Well, just using a	
8	form.	8	technological device and the screen time on	
9	A. Correct.	9	that device is what I'm referring to.	
10	BY MR. RICE:	10	BY MR. RICE:	
11	Q. And the work of psychologists	11	Q. So that would include playing	
12	at TUSD is not limited to social media,	12	video games on a device?	
13	correct?	13	MR. CUTLER: Object to form.	
14	A. That is correct.	14	A. That could include playing	
15	Q. And the work of the behavior	15	video games. So I'm specifically referring	
16	team is not limited to social media, correct?	16	to, like, screen time that's provided at	
17	A. That is correct.	17	school for this particular student, although	
18	Q. In paragraph 8, you reference	18	at home, I'm not sure what other screen time	
19	parent and student reports, correct?	19	there is.	
20	A. Correct.	20	BY MR. RICE:	
21	Q. Did you review any parent or	21	Q. Do you mean screen time	
22	student reports before signing this	22	provided at school on TUSD-issued devices?	
23	declaration?	23	A. Correct.	
24	A. I did not review any parent or	24	Q. Did you conduct any numerical	
25	student reports. I did go off of some	25	analysis of parent or student reports before	
	Page 171		· · · · · · · · · · · · · · · · · · ·	Page 173
1	anecdotal information that I received from	1	signing this declaration?	C
2	various parents.	2	MR. CUTLER: Object to form.	
3	We had one student in	3	A. So I reviewed anecdotal data,	
4	particular who has autism, and the student is	4	just kind of looking at meetings that I've	
5	very fixated on anything that has a screen or	5	had with parents.	
6	a device. And so the student has been	6	And so it's a very significant	
7	experiencing some significant sleep	7	or severe concern when I become aware of	
	deprivation and dysregulation in the sleep	8	those happening with students. Because,	
	cycle.	9	typically, if it's a behavior concern or	
10	And so we have hired an,	10	other need, it's usually addressed by, like,	
11	registered behavior technician, to really	11	a school psychologist or a social worker or a	
12	support this student throughout the school		teacher or maybe an assistant director.	
13	day. And so the parents just support and	13	So I was going off the feedback	
14		14	and the information that I have from specific	
15	fixation on devices or screen time.	15	parents who have reached out to me or I've	
16	We also notice that at school.	16	been in meetings with or I've communicated	
17	We see a lot of elopement, which is kind of	17	with.	
l	<u>*</u>	18	BY MR. RICE:	
18	running from nonpreferred tasks of the student whenever there is no access to a			
19		19	Q. When you say you reviewed	
20	device.	20	anecdotal data, did you review any	
21	And so I have had a few	21	documentation or did you just recall over	
22	students who have brought in concerns related	22	your working career?	
l			a light recollection offer may	
23	to that aspect, not specifically related to a	23	A. Just recollection over my	
	platform, but more technology-based sleep disturbance.	23 24 25	working career with parents. I do have one parent at a high school who reached out	

44 (Pages 170 - 173)

	Page 174			Page 176
	recently, just about some negative		resolved. And then we don't really get into	
	interactions of a high school student who is	2	the specifics.	
3	in high school for the first year.	3	There's a couple of instances	
4	And so the student has had a	4	it's been ongoing and escalating. And so	
5	very hard time forming peer relationships and	5	there have been follow-up reports, either	
6	making friends at the high school. And so	6	from the parents or from the students, about	
7	the parent just reached out about how the	7	what's been happening.	
8	student was engaging in social media with the	8	BY MR. RICE:	
9	students in order to befriend them. And so	9	Q. So for the majority of students	
10	these students also happened to be in, like,	10	with disabilities, you're not familiar with	
11	a drama class together.	11	what platform, if any, they're using?	
12	And so the student was really	12	MR. CUTLER: Object to form.	
13	having a hard time distinguishing, like,	13	A. Right. So for the majority of	
14	what's happening in realtime in the drama	14	students with disabilities, I have no	
15	class, versus being just on the school	15	interaction or information on the platforms	
16	campus, as well as what's happening in the	16	that they're using, unless they are using	
17	social media platform.	17	something that is an application that is	
18	And so that just resulted in an	18	provided on a TUSD device.	
19	issue with some cyberbullying that was	19	BY MR. RICE:	
20	happening with this student.	20	Q. In paragraph 9, you refer to	
21	And then, also, just conveying	21	students who have emotional or physical	
22	information that revealed the student's	22	reactions to technology being limited from	
23	disability status on social media.	23	their access during the school day.	
24	So we've had some additional	24	A. Mm-hmm. (Witness nods.)	
25	social work support available for this	25	Q. Have you tracked the number of	
	Page 175			Page 177
1	student and some additional meetings to	1	students who have reaction to limits on	Ü
2	address that concern.	2	access to technology?	
3	Q. Do you know which platforms	3	MR. CUTLER: Objection to form,	
4	were involved with that student?	4	it's vague.	
5	A. Facebook and Snapchat were	5	A. I have general information	
6	those two.	6	about the students. I have not specifically	
7	Q. Other than in general, when	7	tracked it. I did end up providing teacher	
8	considering the anecdotes you've experienced	8	support in one of our classrooms for student	S
9	over time, did you focus on incidents	9	with autism in particular.	
10	specifically related to defendants' platforms	10	And so it was a student who had	
11	as opposed to technology or screen time more	11	very severe reactions to the restriction or	
12	generally?	12	limitation or removal of technology. And so)
13	MR. CUTLER: Object to form.	13	it was a situation where the teacher had	
14	A. So, in general, when there are	14	concerns about the physical aggression of th	.e
15	issues, I look more globally at what the	15	student.	
16	issue is. So if the issue is screen time, we	16	And so I went in that day to	
17	really focus on what the screen time issue	17	provide some support and some observation	
18	is. The platforms only come about if it's	18	And so in that particular day, we did have a	-
19	something that's ongoing.	19	student who, when it was time to move from	1
20	So, typically, if it's	20	the technology on to something else, got	-
21	something related to screen time, there's	21	significantly, physically aggressive, and	
$\begin{vmatrix} 21\\22\end{vmatrix}$	some kind of intervention or way to address	22	injured a few staff members by he threw a	1
23	the concern, whether it's, like, a	23	device, and then ran out of the room, and	•
I .	facilitated conversation or mediation with	24	also punched a staff member.	
174			and panenca a stan member.	
24 25	the students, and then it's typically	25	And so that was noted as	

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1	Page 178	1	Page 180
	consistent behavior in some reports for the	1	
2	student in particular.	2	way to just chunk two activities to prepare
3	BY MR. RICE:	3	students for a transition.
4	Q. Was this restriction on access	4	Q. And have you ever tracked how
5	to TUSD-issued devices?	5	many first then charts for TUSD students
6	A. Yes, TUSD devices.	6	reference social media?
7	Q. Is that true of all of the	7	MR. CUTLER: Object to form.
8	incidents you're referring to in paragraph 9?	8	A. No, I have not.
9	MR. CUTLER: Object to form.	9	BY MR. RICE:
10	A. I'd say not necessarily all	10	Q. In paragraph 12, you reference
11	TUSD devices. Like, some of the information	11	bullying and harassment.
12	that we get, especially from our secondary	12	Are you aware of any data
13	level students, is reports on personal	13	tracking how many incidents of bullying at
	devices, whether it's a cell phone or, like,	14	TUSD involved defendants' platforms?
15	an iPad or a computer that they're using or a	15	A. No, I'm not.
16	gaming systems that they're using outside of	16	Q. Are you aware of any data
17	school.	17	tracking how many incidents of harassment at
18	BY MR. RICE:	18	TUSD involve defendants' platforms?
19	Q. But some of the reports you're	19	A. No, I am not.
20	referring to in paragraph 9 are related to	20	Q. Are you aware of any data
21	restrictions on TUSD-issued devices, correct?	21	tracking generally how many code of conduct
22	A. Correct.	22	violations at TUSD related to defendants'
23	Q. And for the non-TUSD-issued	23	platforms?
24	devices, you're referring to in paragraph 9,	24	A. No, I am not.
25	that includes gaming systems used outside of	25	Q. In paragraph 13, you reference
	Page 179		Page 181
1	Page 179 school?	1	Page 181 social media pages.
1 2		1 2	-
	school?		social media pages.
2	school? MR. CUTLER: Object to form.	2	social media pages. Have you tracked the presence
2 3	school? MR. CUTLER: Object to form. A. Yes.	2 3	social media pages. Have you tracked the presence of particular social media pages on
2 3 4	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD	2 3 4	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms?
2 3 4 5	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or	2 3 4 5	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form,
2 3 4 5 6	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of	2 3 4 5 6	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked
2 3 4 5 6 7	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school.	2 3 4 5 6 7	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague.
2 3 4 5 6 7 8	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE:	2 3 4 5 6 7 8	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no.
2 3 4 5 6 7 8 9	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer	2 3 4 5 6 7 8 9	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE:
2 3 4 5 6 7 8 9 10	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans.	2 3 4 5 6 7 8 9	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference
2 3 4 5 6 7 8 9 10 11	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.)	2 3 4 5 6 7 8 9 10 11	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication
2 3 4 5 6 7 8 9 10 11 12	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD	2 3 4 5 6 7 8 9 10 11 12	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods.
2 3 4 5 6 7 8 9 10 11 12 13	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use	2 3 4 5 6 7 8 9 10 11 12 13	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data
2 3 4 5 6 7 8 9 10 11 12 13 14	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal	2 3 4 5 6 7 8 9 10 11 12 13 14	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use
2 3 4 5 6 7 8 9 10 11 12 13 14 15	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to first then charts.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered. A. That is correct. BY MR. RICE:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to first then charts. What is a first then chart? A. So a first then chart is a	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered. A. That is correct. BY MR. RICE: Q. And you're not aware of any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to first then charts. What is a first then chart? A. So a first then chart is a graphic organizer to help a student know,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered. A. That is correct. BY MR. RICE: Q. And you're not aware of any data tracking how frequently TUSD students
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to first then charts. What is a first then chart is a graphic organizer to help a student know, like, what's happening with their schedule.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered. A. That is correct. BY MR. RICE: Q. And you're not aware of any
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to first then charts. What is a first then chart? A. So a first then chart is a graphic organizer to help a student know, like, what's happening with their schedule. So, for example, first, we're	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered. A. That is correct. BY MR. RICE: Q. And you're not aware of any data tracking how frequently TUSD students communicate using defendants' platforms,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	school? MR. CUTLER: Object to form. A. Yes. So in addition to the TUSD devices, that would include gaming devices or personal devices that are used outside of school. BY MR. RICE: Q. In paragraph 9 you also refer to formal behavior plans. A. Mm-hmm. (Witness nods.) Q. Have you tracked whether TUSD has ever offered to allow students to use social media as an incentive in a formal behavior plan? A. I have not tracked that, no. Q. In paragraph 9 you refer to first then charts. What is a first then chart is a graphic organizer to help a student know, like, what's happening with their schedule.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	social media pages. Have you tracked the presence of particular social media pages on defendants' platforms? MR. CUTLER: Object to form, that's vague. A. I have not specifically tracked the social media pages, no. BY MR. RICE: Q. In paragraph 14, you reference group chats, texts, and other communication methods. You're not aware of any data regarding how frequently students at TUSD use text messages, correct? MR. CUTLER: Object to form, asked and answered. A. That is correct. BY MR. RICE: Q. And you're not aware of any data tracking how frequently TUSD students communicate using defendants' platforms, correct?

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	Page 182		Page 184
1	property damage.	1	
2	Do you have personal knowledge	2	BY MR. RICE:
3	of any property damage relating to	3	Q. For in the manifestation
4	defendants' platforms?	4	determinations, those apply when a student
5	A. Not specifically related to	5	has been suspended for a certain number of
6	these platforms, no.	6	days, correct?
7	Q. Have you ever analyzed what	7	A. Correct.
8	percentage of time any position in your	8	Q. How many is it?
9	department spends specifically on defendants'	9	A. Ten.
10	platforms?	10	Q. And so if a student has a
11	MR. CUTLER: Object to form,	11	disciplinary violation and faces a
12	it's vague.	12	consequence less than ten days of suspension,
13	A. So the way that our time was	13	the exceptional education department never
14	analyzed is really vaguely based on, like,	14	considers whether the incident was a
15	whether it's in general counseling or an	15	manifestation of their disability; is that
16	IEP-related situation. No, there is no data	16	right?
17	mechanism to analyze time spent on specific	17	A. There is no formal process for
18	platforms.	18	that. There could always be a situation
19	BY MR. RICE:	19	where there's new behavior that a student is
20	Q. You can set that aside.	20	exhibiting. And so the case manager may call
21	Dr. Salmon, do you agree that	21	a team meeting. The IEP team may sit down
22	disability could cause a student to have	22	and say, hey, what's happening? This is
23	disciplinary issues?	23	something we haven't experienced before. We
24	MR. CUTLER: Object to form.	24	don't have anything that's in the IEP to
25	A. I do believe that behavior is a	25	address this behavior.
	Page 183		Page 185
1	form of communication, and I recognize that	1	So they could say, oh, well,
2	students have disabilities that are related	2	then maybe there is another area of suspected
3	to behavioral manifestations.	3	disability. So this could trigger a referral
4	So it certainly is possible	4	for a reevaluation of that student. And so
5	that a student's disability is creating them	5	then that would give more information about
6	to physically or internally express it	6	if there's another disability that could be
7	behaviorally.	7	the triggering behavior.
8	BY MR. RICE:	8	So that's something that could
9	Q. Could a disability cause a	9	happen sooner than, like, a ten-day
10	student to act out in class?	10	suspension for a student.
11	MR. CUTLER: Object to form.	11	Q. So it's possible that a
12	A. So there certainly is strong	12	disability could contribute to a disciplinary
13	correlation based how that student's specific	13	violation even if there was never ultimately
14	disability manifests. And so we have what we	14	a manifestation determination?
15	call a manifestation determination. So	15	MR. CUTLER: Object to form,
16	that's a formal process that's led by a	16	that's vague, lacks foundation.
17	school psychologist, and it reviews whatever	17	A. Well, if there is the
18	the behavior was, whatever the student's	18	behavior
19	disability is, and if there is a direct	19	So administrators are able to
20	connection between that behavior and that	20	use the code of conduct, and provide
21	student's disability.	21	discipline based on that infraction. And
22	So there is a good percentage	22	like a student with a disability, the
23	of time when there is a direct correlation	23	protections don't kick in until they're ten
24	between that behavior and that disability.	24	days of suspension.
25	So it could be acting out as an example of	25	So there could be a behavior
		_	

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		Page 186			Page 188
1	and then a consequence for the behavior		1	Q. So if there's if a student	
2	without looking at the manifestation or the		2	is suspended for less than ten days.	
3	origin of the disability, yes.		3	A. Mm-hmm.	
4	BY MR. RICE:		4	Q. Specifically if the	
5	Q. So it's possible the behavior		5	disciplinary consequence is less than a	
6	in that case could be a consequence of the		6	ten-day suspension, TUSD doesn't track	
7	disability even though a manifestation		7	whether that disciplinary violation could	
8	determination is never made?		8	have been a manifestation of their	
9	MR. CUTLER: Object to form,		9	disability?	
10	asked and answered.		10	A. That's correct.	
11	You can answer it again.		11	Q. Is another outcome of	
12	A. Yes. So if it's not to the		12	disciplinary violation an IEP team meeting?	
13	ten-day mark, there is no requirement that		13	A. Yes, that is.	
14	it's investigated to see if it is a		14	Q. And that can be a the result	
	manifestation. So it is possible it could be		15	of a disciplinary violation in lieu of a	
16	contributed to or a result of the disability		16	disciplinary consequence?	
17	without that examination or that decision		17	A. Correct, it could be in lieu of	
18	being made.		18	or sometimes it's in addition to. For	
19	BY MR. RICE:		19	example, if a student has a disciplinary	
20	Q. And the information on		20	violation that is at the ten-day mark and	
21	manifestation determination is tracked in		21	there was a manifestation, if it's a	
22	Synergy?		22	manifestation, depending on the disciplinary	
23	A. That's correct.		23	infraction, a student might have an interim	
24	Q. Do you agree that disability		24	education placement. So they could have a	
25	could cause a student to become physically		25	placement at a temporary location where	
		Page 187			Page 189
1	aggressive?		1	they're still getting their services.	
2	MR. CUTLER: Object to form.		2	And so, at that time, that	
3	A. I do believe that some		3	would still trigger an IEP meeting even	
4	students' disabilities do manifest with some		4	though it was a manifestation of the	
5	physical aggression. That is kind of a part		5	disability.	
6	of how that disability manifests for that		6	Because at that IEP the team	
7	student.		7	would be talking about, like, what can we do)
8	BY MR. RICE:		8	to prevent the behavior from happening the	
9	Q. Do you have any data on how		9	next time? Do we have adequate services?	[s
10	many disciplinary violations in total,		10	this the best placement? Is there anything	
11	including less than ten-day suspensions, are		11	else that we need to consider for the	
12	a manifestation for students of their		12	student?	
13	disabilities?		13	MR. RICE: Let's mark as	
14	A. I do not have that right away.		14	Exhibit 12, tab 23. And this will be	
15	We do have access to have that information		15	another spreadsheet.	
16	That is kept in Synergy.		16	(Whereupon, TUSD-Salmon-12,	
17	BY MR. RICE:		17	Native spreadsheet, was marked for	
18	Q. How would that be categorized?		18	identification.)	
19	A. Because anytime there's a		19	BY MR. RICE:	
	manifestation determination, there's the		20	Q. And Exhibit 12 is a document	
20			21	produced by TUSD with the Bates 00365958	3.
l	result. And so it's either, yes, it was or,				
20	result. And so it's either, yes, it was or, no, it wasn't. And so we could take a look		22	And, Dr. Salmon, I'll represent	
20 21	no, it wasn't. And so we could take a look	hen		-	
20 21 22			22	And, Dr. Salmon, I'll represent to you that this is a spreadsheet of disciplinary violations from Synergy.	

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1	Page 190	1	Page 192
1	Q. And so in rows 15 to 22, for	1	would mean is that the IEP team chose to have
2	, ,	2	a meeting as a result of this disciplinary
3	was manifestation determination?	3	incident; is that correct?
4	A. Yes, I see that.	4	A. That's correct.
5	Q. And is it your understanding	5	MR. RICE: You can take that
6	that that would be the category in Synergy if	6	down, Mr. Lawlor.
7	a student incident of aggression was found to	7	BY MR. RICE:
8	be a manifestation of their disability?	8	Q. So, Dr. Salmon, I want to talk
9	MR. CUTLER: Object to form.	9	about the budget for the exceptional
10	A. I understand that this would	10	education department.
11	mean a manifestation was determination was	11	A. Okay.
12	made. I'm not sure if it means that it was	12	Q. Earlier you mentioned that your
13	or was not a manifestation, so there was that	13	responsibilities included managing your
14	1	14	department's budget, correct?
15	determine if it was a manifestation or not.	15	A. Yes.
16	BY MR. RICE:	16	Q. Are you aware of how positions
17	Q. But that's how the conclusion	17	in your department are funded?
18	of manifestation determination would be	18	A. Yes, I have similarity of how
19	logged in to Synergy?	19	they're funded.
20	MR. CUTLER: Object to form.	20	Q. What are the ways the positions
21	A. It would be the process of the	21	in your department are funded?
22	Ę	22	MR. CUTLER: Object to form,
23	conclusions of the manifestation.	23	speculation.
1	BY MR. RICE:	24	A. Are you referring to, like, the
25	Q. Where would the conclusion be	25	funding streams, the sources?
	Page 191		Page 193
1	logged?	1	BY MR. RICE:
2	MR. CUTLER: Object to the	2	Q. Yes. What are the founding
3	form.	3	sources for the exceptional education
4	A. I am not sure.	4	department?
5	So that information is usually	5	A. Okay. So we have funding
6	housed in student relations, and it's kept by	6	sources through maintenance and operations.
7	student relations. I don't usually look at	7	Our general ed funding. We have our IDA
8	that data at this global level. Like, I look	8	grant. We have some Medicaid funding. And
9	at it individually by student.	9	then we have some impact aid that we fund our
10	BY MR. RICE:	10	summer school program. The primary funding
11	Q. So if we look at data for a	11	sources I'm familiar with.
12	particular incident like this, like these in	12	Q. Are you familiar with the
13	rows 15 to 22, and it shows the action was	13	unitary status plan?
14	manifestation determination, will you	14	A. Yes.
15	understand that to mean a manifestation	15	Q. And the unitary status plan is
16		16	the desegregation consent decree that TUSD
17	the ultimate what the ultimate conclusion	17	was subject to until recently, correct?
18	was that it was a manifestation?	18	A. Correct.
19	A. Correct.	19	Q. Does the exceptional education
20	Q. And if we go to rows 11 to 14	20	department have a role with respect to the
	right above that.	21	unitary status plan?
21		22	MR. CUTLER: Object to form.
22	Do you see there the action	22	
22 23	taken was IEP team meeting?	23	A. Well, collectively, as a
22	-		

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1	Page 194	1	Page 196
1	that are needed, we provide them.	1	What did the exceptional
2	As far as, like, directly being	2 3	education department receive ESSER funding for?
3	under the unitary status plan, exceptional education department exited that very early	4	A. Yes. And so we received ESSER
4	before I became the director. So we did not		
5	have a direct role. So we typically did not	5	funding for some materials such as, like,
6	· - ·	6 7	masks, gloves, hand sanitizer. We also purchased some desk dividers. We provided
7 8	get any funding from that funding stream. BY MR. RICE:	8	professional development. We provided some
9	Q. So at one point, the	9	facility upgrades.
10	exceptional education department did have a	10	We had, like, some professional
11	direct role under the unitary status plan?	11	learning centers. Mary Meredith received,
12	A. Correct.	12	like, some different tiling for the floors,
13	Q. And do you know when that was?	13	as well as some new student desks and
14	A. I don't know exactly when it	14	materials.
15	was, but it would have been at least six	15	There were some bonuses or
16	years ago. More than six years ago.	16	stipends that were given for staff members
17	Q. Are you aware whether which	17	for retention purposes during that time.
18	positions in the exceptional education	18	Q. Do you know what positions
19	department were funded by the desegregation	19	ESSER funds were used for?
20	plan six years ago?	20	A. I'm not aware of specific
21	A. I do not have that information.	21	positions outside of, like, stipend or
22	I didn't have access to the budget at that	22	retention bonus. Not like an FTE, fully
23	time.	23	funding for just that position or that role.
24	Q. Do you know whether specific	24	Q. Which positions received
25	positions were funded or whether the	25	bonuses or stipends?
	Page 195		Page 197
1	department generally received funding?	1	A. So all of our employees who
2	MR. CUTLER: Object to form.	2	returned and worked a full year received a
3	A. I am unsure. I don't really	3	stipend, and we had a few years that we
4	know the answer to that. I doubt that	4	received a stipend. And so the amounts
5	specific positions were funded, because in	5	changed. And so it was weighted. And so if
6	order for us to maintain them, we would have	6	you were full-time, you got one amount, and
7	had to come up with a different funding	7	then part-time people got a reduced amount of
8	stream for that, and I'm not aware if that	8	stipend for retention.
9	took place.	9	Q. And that was when employees
10	BY MR. RICE:	10	returned to work after the COVID-19 pandemic?
11	Q. Are you familiar with ESSER	11	A. Correct.
12	funding?	12	Q. And so I just want to make sure
13	A. Yes.	13	I understand this.
14	Q. And that stands for Elementary	14	So after they returned to work
15	and Secondary School Emergency Relief, right?	15	in the COVID-19 pandemic, every employee in
16	A. Correct.	16	the exceptional education department who
17	Q. And ESSER was funded from the	17	returned received some type of stipend from
18	federal government relating to the COVID-19	18	ESSER funds?
19	pandemic, correct?	19	A. That's correct.
20	A. Correct.	20	Q. How much were the stipends?
21	Q. Did the exceptional education	21	A. I don't recall exactly. Like,
22	department receive ESSER funding?	22	we had multiple years. And so there was one
23	A. Yes.	23	amount one year, and then it decreased the
24	Q. What positions or what did the ESSER	24	second year, and I believe there was a third
25	HE ESSEK	25	year for a third stipend. So it was a

50 (Pages 194 - 197)

	Page 198		Page 200
1	step-down amount.	1	
2	Q. Was it based on percentage of	2	Q. And, Dr. Salmon, I'll represent
3	the employee's salary or was it a fixed	3	to you that this is the attachment to
4	amount?	4	Mr. Lansa's e-mail.
5	A. It was based on their full-time	5	A. Okay.
		6	Q. And then, if we go to rows 115
6	equivalency. So it was a set amount for all full-time employees, and then for part-time	7	to 121.
7 8	employees it was a set amount.	8	Do you see that the list of
9	MR. RICE: Let's mark as	9	ESSER-funded positions here includes some
		10	_
10	Exhibit 13, tab 12.		funding for exceptional education teaching
11	(Whereupon, TUSD-Salmon-13,	11	assistants at Maldonado Elementary School?
12	E-mail(s), Subj: RE: ESSER III	12	MR. CUTLER: Object to form,
13	Positions - 12.6.22.xlsx,	13	foundation.
14	SM_TUSD_00441612-SM_TUSD_00441613, was	14	A. Okay. So I see 115 to 121. I
15	marked for identification.)	15	see Maldonado Elementary School, and I see
16	BY MR. RICE:	16	that these are some exceptional ed teacher
17	Q. And Exhibit 13 is a document	17	assistants. It looks like three positions.
18	produced by TUSD with the Bates 00441612.	18	The three names are listed twice.
19	Dr. Salmon, do you see this is	19	BY MR. RICE:
20	an e-mail from Jon Lansa to Ricardo	20	Q. And if we go to row 4,481.
21	Hernandez?	21	Do you see that ESSER-funded
22	MR. CUTLER: Take your time and	22	positions were used to fund social workers
23	review the document. You don't need	23	with a master's degree at Doolen Middle
24	to rush through.	24	School?
25	A. Okay. Yes, I see it's an	25	MR. CUTLER: Object to form,
	D 100		
	Page 199		Page 201
1	e-mail from Jon Lansa from Jon Lansa to	1	foundation.
2	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson.	2	foundation. A. Okay. 4,481. Yes, I see the
2 3	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE:	2 3	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen.
2 3 4	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director	2 3 4	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE:
2 3 4 5	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct?	2 3	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds
2 3 4 5 6	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct.	2 3 4 5 6	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at
2 3 4 5 6 7	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief	2 3 4 5 6 7	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD?
2 3 4 5 6 7 8	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer?	2 3 4 5 6 7 8	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form,
2 3 4 5 6 7 8 9	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct.	2 3 4 5 6 7 8 9	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered.
2 3 4 5 6 7 8 9 10	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached	2 3 4 5 6 7 8	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see
2 3 4 5 6 7 8 9 10 11	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school	2 3 4 5 6 7 8 9 10	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High
2 3 4 5 6 7 8 9 10 11 12	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions.	2 3 4 5 6 7 8 9 10 11 12	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student
2 3 4 5 6 7 8 9 10 11 12 13	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct?	2 3 4 5 6 7 8 9 10 11 12 13	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department.
2 3 4 5 6 7 8 9 10 11 12 13 14	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct? A. Correct.	2 3 4 5 6 7 8 9 10 11 12 13	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department. Cholla High School, Oyama,
2 3 4 5 6 7 8 9 10 11 12 13 14 15	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct? A. Correct. Q. And then you see there's an	2 3 4 5 6 7 8 9 10 11 12 13 14 15	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department. Cholla High School, Oyama, Robinson, Gale, and Henry. These are social
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct? A. Correct. Q. And then you see there's an attachment there listed that says:	2 3 4 5 6 7 8 9 10 11 12 13	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department. Cholla High School, Oyama, Robinson, Gale, and Henry. These are social worker positions that are ESSER funded.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct? A. Correct. Q. And then you see there's an	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department. Cholla High School, Oyama, Robinson, Gale, and Henry. These are social worker positions that are ESSER funded. BY MR. RICE:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct? A. Correct. Q. And then you see there's an attachment there listed that says: ESSER III positions 2.14.23? A. Correct.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department. Cholla High School, Oyama, Robinson, Gale, and Henry. These are social worker positions that are ESSER funded. BY MR. RICE: Q. And so that's a yes, then, it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	e-mail from Jon Lansa from Jon Lansa to Ricky Hernandez and Fina Johnson. BY MR. RICE: Q. And Mr. Lansa is the director of grant and federal programs, correct? A. Correct. Q. And Mr. Hernandez is the chief financial officer? A. Correct. Q. And Mr. Lansa writes: Attached is an updated list of ESSER funded school positions. Correct? A. Correct. Q. And then you see there's an attachment there listed that says: ESSER III positions 2.14.23?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	foundation. A. Okay. 4,481. Yes, I see the master level social worker at Doolen. BY MR. RICE: Q. Do you know whether ESSER funds were used to fund social worker positions at other schools in TUSD? MR. CUTLER: Object to form, asked and answered. A. Further down I see Myers/Ganoung. I see Teenage Pregnancy High School. I see Native American Student Services. That's a department. Cholla High School, Oyama, Robinson, Gale, and Henry. These are social worker positions that are ESSER funded. BY MR. RICE: Q. And so that's a yes, then, it was used for other social worker positions at
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	Page 202		Page 204
1	positions.	1	MR. CUTLER: Again, go ahead
2	MR. RICE: You can take that	$\frac{1}{2}$	and review.
3	down, Mr. Lawlor.	3	[Document review.]
4	Let's mark as Exhibit 15,	4	A. Okay.
5	tab 14.	5	BY MR. RICE:
6	(Whereupon, TUSD-Salmon-15,	6	Q. If you would, turn to the slide
7	Tuesday, March 4, 2025 Agenda for	7	that's labeled Eligible Services. Slide 12.
8	Regular Board Meeting, was marked for	8	And this slide lists the
9	identification.)	9	services that are eligible for Medicaid
10	BY MR. RICE:	10	reimbursement, correct?
11	Q. And tab 14 is a TUSD governing	11	MR. CUTLER: Object to form,
12	board agenda for the March 4, 2025, meeting.	12	speculation.
13	MR. CUTLER: Take your time and	13	A. So this was developed by
14	review.	14	Mr. Hernandez, and he did the sub-therapies
15	[Document review.]	15	that are eligible for Medicaid reimbursement,
16	BY MR. RICE:	16	yes.
17	Q. And you can take your time, but	17	BY MR. RICE:
18	I'm going to ask you about agenda item 7.3.	18	Q. But as exceptional education
19	A. Okay.	19	director, your understanding is that the
20	MR. CUTLER: Review as much as	20	services listed on this slide are eligible
21	you'd like.	21	S
22	[Document review.]	22	MR. CUTLER: Object to form.
23	A. Okay. Ready.	23	A. So, yes, this is a list of
24	BY MR. RICE:	24	services that are eligible for Medicaid
25	Q. And this is a meeting from	25	_
1	Page 203 March 4, 2025, so, about two months ago,	1	Page 205 BY MR. RICE:
2	correct?	2	Q. And one of the services listed
3	A. Correct.	3	is behavioral mental health services,
4	Q. And do you recall presenting	4	counseling, psychology and assessments,
5	agenda item 7.3 at this meeting?	5	correct?
6	A. Yes, I do.	6	A. Correct.
7	Q. And there is an attachment to	7	Q. And then another service that
8	this agenda item, correct?	8	is listed is nursing services, medication
9	A. Correct.	9	administration, chronic diseases management,
10	Q. And that's the presentation you	10	and health screening, correct?
11	gave at this meeting, correct?	11	A. Correct.
12	A. Correct.	12	Q. And then if we go to the next
13	MR. RICE: And let's mark as	13	slide titled TUSD-Medicaid Financial
14	Exhibit 16, tab 15.	14	Overview.
15	A. Okay.	15	Do you see that the first
16	(Whereupon, TUSD-Salmon-16,	16	bullet on this slide states that: Between
17	3-4-2025 Exceptional Education Systems	17	fiscal year 2016 and 2024, TUSD collected a
18	and Structures, was marked for	18	total of 34.7 million in Medicaid
19	identification.)	19	reimbursement, an average of 3.9 million per
1	BY MR. RICE:	20	year?
20	DT WIK. RICE.		A. Correct.
	Q. And Exhibit 16 is the	21	11. Concet.
20		21 22	Q. And then, do you see the bullet
20 21	Q. And Exhibit 16 is the		
20 21 22	Q. And Exhibit 16 is the attachment to that agenda titled Exceptional	22	Q. And then, do you see the bullet
20 21	Q. And Exhibit 16 is the		

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Page 208 A. Correct. Q. Do you know how much money TUSD 3 receives in IDEA grants? 4 A. In the past, we've received 5 roughly 10 million. 5 O. On an annual basis? 6 Q. On an annual basis? 7 A. On an annual basis. 8 MR. RICE: We can go off the record. The time is 12:19. 10 THE VIDEOGRAPHER: We are going off the record. The time is 12:19. 11 Exp. MR. RICE: 15 Q. And under that next bullet it says: Demand cannot be met. 12 (Recess taken, 12:19 p.m. to 12 staffing levels. 13 12:54 p.m. MST) 14 THE VIDEOGRAPHER: We are going 15 back on the record. The time is 12:19. 15 By MR. RICE: 15 Q. Melcome back, Dr. Salmon. 16 12:54. 17 BY MR. RICE: 17 A. Correct. 18 Q. Whereupon, TUSD-Salmon-17, 21 E-mail(s), Subj. Prafts sides for 22 Budget meeting 1/19/23, 25 SM_TUSD_00514528, was marked for 25 Dr. Salmon, do you see this is 6 an e-mail to you from Ms. Genoa Black? 7 A. Yes. 10 A. Yes. 11 MR. RICE: Ler's mark as 9 PowerPoint in the e-mail she sends you? 1 A. Yes. 12 Exhibit 17 is a document of education the e-mail she sends you? 1 A. Yes. 13 MR. RICE: Ler's mark as 12 Exhibit 18 is a document 18 produced with the Bates 00514529. 19 And, Dr. Salmon, this was the odocument attached to Ms. Black's e-mail. 18 produced with the Bates 00514529. 19 And, Dr. Salmon, this was the odocument attached to Ms. Black's e-mail. 21 A. Okay. 21 A. Okay. 22 Q. And do you see the second slide 23 here lists challenges associated with the 24 exceptional education department? 24 Correct. 24 Correct. 25 A. Correct. 26 Q. And the bullets under there 27 Correct. 27 Correct. 28 Q. And the bullet is surface, and the produced with the Bates 00514529. 10 A. Okay. 21 A. Okay. 21 A. Correct. 22 Q. And the bullets is more to document attached to Ms. Black's e-mail. 24 exceptional education department? 25 A. Correct. 26 Q. And the bullets under there 27 the there is the scale and the produced with the 24 exceptional education department? 24 A. Correct. 25 A. Correct. 26 Q. And the bullets under there 27 the trock of the correct of the produced of the prod				
2 Q. Do you know how much money TUSD a receives in IDEA grants? 4 A. In the past, we've received 5 roughly 10 million. 5 Q. On an annual basis? 6 Q. On an annual basis. 7 A. On an annual basis. 8 MR. RICE: We can go off the record. The time is 12:19 p.m. to 10 THE VIDEOGRAPHER: We are going of record. The time is 12:19 p.m. to 11 12:54 p.m. MST) 12 (Recess taken, 12:19 p.m. to 13 12:54 p.m. MST) 14 THE VIDEOGRAPHER: We are going back on the record. The time is 16 12:54. 15 BY MR. RICE: 16 12:54. 17 BY MR. RICE: 18 Q. Welcome back, Dr. Salmon. 19 A. Thank you. 20 MR. RICE: Can we mark as 21 Exhibit 17, tab 10? 22 (Whereupon, TUSD-Salmon-17, 22 Correct? 23 Budget meeting 11/9/23, 23 25 SM TUSD 00514528, was marked for 24 produced with the Bates 00514528. 3 Q. And do you see she attaches a power-bornt in the e-mail she sends you? 10 A. Yes. 21 Q. And do you see she attaches a power-bornt in the e-mail she sends you? 22 Q. And do you see she attaches a fexhibit 18 is a document is produced with the Bates 00514528. 3 Q. And do you see she attaches a fexhibit 18 is a document is produced with the Bates 00514528. 4 Nafive spreadsheet, was marked for identification.) 5 BY MR. RICE: Let's mark as 2 Exhibit 18, tab 10A. (Whereupon, TUSD-Salmon-18, 13 roles. 2 Q. And do you see the second slide and counted that the set is students who want to become exceptional education students who are qualified for those in individuals who are qualified for those in individuals who are curolling into those in programs in the e-mail she sends you? 3 Q. And do you see the second slide part of the produced with the Bates 00514529. 4 Now recupent attached to Ms. Black's e-mail. 5 Q. And do you see the second slide part of the produced with the Bates 00514529. 6 Q. And do you see the second slide part of the produced with the Bates 00514529. 7 A. Correct. 8 Q. And do you see she attaches a produced with the Bates 00514529. 9 PowerPoint in the e-mail she sends you? 10 A. Yes. 11 Q. And do you see she attaches a produced with the Bates 005145	1	Page 206	1	Page 208
3 receives in IDEA grants? 4 A. In the past, we've received 5 roughly 10 million. 6 Q. On an annual basis? 7 A. On an annual basis. 8 MR. RICE: We can go off the 9 record. 11 THE VIDEOGRAPHER: We are going 11 off the record. The time is 12:19. 12 (Recess taken, 12:19 p.m. to 13 12:54 p.m. MST) 14 THE VIDEOGRAPHER: We are going 15 back on the record. The time is 16 12:54. 17 BY MR. RICE: 18 Q. Welcome back, Dr. Salmon. 19 A. Thank you. 19 A. Thank you. 20 MR. RICE: Can we mark as 21 Exhibit 17, tab 10? 22 (Whereupon, TUSD-Salmon-17, 22 Exhibit 18, tab 10A. 23 SM_TUSD_00514528, was marked for 14 produced with the Bates 00514529, 25 PowerPoint in the e-mail she sends you? 14 Native spreadsheet, was marked for 15 identification.) 15 BY MR. RICE: 16 Q. And do you see the second slide 17 A. Ves. 28 Q. And do you see the second slide 18 Produced with the Bates 00514529, 29 And, Dr. Salmon, this was the 29 document attached to Ms. Black's e-mail. 20 L A. Okay. 21 A. Okay. 22 Q. And the next bullet it 23 and severity of diagnoses. 4 Correct; 24 A. Correct. 8 C. Correct? 9 A. Correct. 10 Q. The second challenge is: 11 Medicaid reimbursements are reduced due to 12 staffing levels. 12 Staffing levels. 13 Correct? 14 A. Correct. 15 Q. A Correct. 16 that results in reduced funding, correct? 17 A. Correct. 18 Q. The third challenge is: Trend 19 in reduced number of enrollments in education 19 programs, smaller candidate pool. 21 Correct? 22 A. Correct. 23 Q. What does it mean that there's 24 a reduced number of enrollments in education 25 programs and a smaller candidate pool? 26 proparams for students who want to become exceptional 27 education programs for students who want to become exceptional 28 produced with the Bates 00514529, and proparams, so that's decreasing the number of 16 individuals who are qualified for those 17 (a) And the next bullet is: 18 Q. And the next bullet is: 19 Q. And the next bullet is: 20 Q. And the next bullet is: 21 A. Correct. 22 Q. And the next bullet is: 23 (a) The related service 24 (a) An			_ ا	-
4 A. In the past, we've received 5 roughly 10 million. 6 Q. On an annual basis? 7 A. On an annual basis? 8 MR. RICE: We can go off the record. 9 record. 10 THE VIDEOGRAPHER: We are going 11 off the record. The time is 12:19. 11 (Recess taken, 12:19 p.m. to 13 12:54 p.m. MST) 12 (Recess taken, 12:19 p.m. to 13 12:54 p.m. MST) 13 12:54 p.m. MST) 14 THE VIDEOGRAPHER: We are going 15 back on the record. The time is 12:19. 15 18 Q. Welcome back, Dr. Salmon. 17 18 Q. Welcome back, Dr. Salmon. 19 A. Thank you. 20 MR. RICE: Can we mark as 21 Exhibit 17, tab 10? 21 Exhibit 17, tab 10? 22 (Whereupon, TUSD-Salmon-17, 23 By MR. RICE: 10 p.m. to 19 in reduced number of enrollments in education 20 programs, smaller candidate pool. 21 Correct? 21 Exhibit 17 is a document 4 produced with the Bates 00514528. 22 D. Salmon, do you see this is an en-mail to you from Ms. Genoa Black? 7 A. Yes. 23 Q. And do you see the attaches a 9 PowerPoint in the e-mail she sends you? 10 A. Yes. 11 MR. RICE: Let's mark as 12 Exhibit 18 is a document 18 produced with the Bates 00514529. 13 (Q. And that makes it more identification.) 15 MR. RICE: Let's mark as 12 Exhibit 18 is a document 18 produced with the Bates 00514529. 14 A. Correct. 15 idintification.) 15 MR. RICE: Let's mark as 12 Exhibit 18 is a document 19 providered with the Bates 00514529. 15 MR. RICE: 17 Q. And do you see the attaches a 19 PowerPoint in the e-mail she sends you? 10 A. Yes. 11 MR. RICE: Let's mark as 12 Exhibit 18 is a document 19 produced with the Bates 00514529. 15 MR. RICE: 16 MR. RICE: 17 Q. And do you see the staches a 19 PowerPoint in the e-mail she sends you? 10 A. Yes. 11 MR. RICE: Let's mark as 12 Exhibit 18 is a document 19 produced with the Bates 00514529. 15 MR. RICE: 10 Q. And that makes it more 10 individuals who are qualified for those 10 indivi				= -
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6 Q. On an annual basis? 7 A. On an annual basis. 8 MR. RICE: We can go off the record. 9 THE VIDEOGRAPHER: We are going 11 off the record. The time is 12:19. 12 (Recess taken, 12:19 pm. to 13 12:54 pm. MST) 13 12:54 pm. MST) 14 THE VIDEOGRAPHER: We are going 15 back on the record. The time is 12:19. 15 1 12:54 pm. MST) 16 12:54. 17 BY MR. RICE: 18 Q. Welcome back, Dr. Salmon. 19 A. Thank you. 20 MR. RICE: Can we mark as 20 (Whereupon, TUSD-Salmon-17, 22 (Whereupon, TUSD-Salmon-17, 23 E-mail(s), Subj. Draft slides for 24 Budget meeting 119/23, 25 SM_TUSD_00514528, was marked for 4 produced with the Bares 00514528. 5 Dr. Salmon, do you see this is 6 an e-mail to you from Ms. Genoa Black? A. Yes. 10 A. Yes. 11 MR. RICE: Let's mark as 29 PowerPoint in the e-mail she sends you? PowerPoint in the e-m			l	
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8 MR. RICE: We can go off the 9 record. 10 THE VIDEOGRAPHER: We are going 11 off the record. The time is 12:19. 12 (Recess taken, 12:19 p.m. to) 13 12:54 p.m. MST) 14 THE VIDEOGRAPHER: We are going 15 back on the record. The time is 16 12:54. 17 BY MR. RICE: 18 Q. Welcome back, Dr. Salmon. 19 A. Thank you. 20 MR. RICE: Can we mark as 21 Exhibit 17, tab 10? 21 Exhibit 17, tab 10? 22 (Whereupon, TUSD-Salmon-17, 23 E-mail(s), Subj: Draft slides for 24 Budget meeting 1/19/23, 25 SM_TUSD_00514528, was marked for 26 an e-mail to you from Ms. Genoa Black? 3 Q. And do you see this is 4 on e-mail to you from Ms. Genoa Black? 5 Dr. Salmon, do you see she attaches a 9 PowerPoint in the e-mail she sends you? 10 A. Yes. 11 MR. RICE: Let's mark as 12 Exhibit 18, tab 10A. 13 (Whereupon, TUSD-Salmon-18, 14 Native spreadshect, was marked for 16 BY MR. RICE: 17 Q. And Exhibit 18 is a document 18 Q. Free in the semant she sends you? 19 A. Correct? 10 A. Correct. 11 A. Correct. 11 A. Correct. 12 A. Correct. 12 A. Correct. 13 Correct. 14 A. Correct. 15 Q. And under that it says that 16 that results in reduced funding, correct? 17 A. Correct. 18 Q. What does it mean that there's 20 Q. What does it mean that there's 21 a reduced number of enrollments in education 22 programs, smaller candidate pool. 23 q. What does it mean that there's 24 a reduced number of enrollments in education 25 programs and a smaller candidate pool. 26 A. Correct. 27 Q. What does it mean that there's 28 duction programs for students for 29 tudenting the succession of the successi				~
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20 document attached to Ms. Black's e-mail. 21 A. Okay. 22 Q. And do you see the second slide 23 here lists challenges associated with the 24 exceptional education department? 20 correct? 21 A. Correct. 22 Q. And the bullets under there 23 list the sort implications or consequences of 24 those vacancies, right?	18	=	18	Q. And the next bullet is:
21 A. Okay. 22 Q. And do you see the second slide 23 here lists challenges associated with the 24 exceptional education department? 21 A. Correct. 22 Q. And the bullets under there 23 list the sort implications or consequences of 24 those vacancies, right?	19	And, Dr. Salmon, this was the	19	Vacancies, teachers and teacher assistants,
22 Q. And do you see the second slide 23 here lists challenges associated with the 24 exceptional education department? 22 Q. And the bullets under there 23 list the sort implications or consequences of 24 those vacancies, right?	20	document attached to Ms. Black's e-mail.	20	correct?
23 here lists challenges associated with the 24 exceptional education department? 23 list the sort implications or consequences of 24 those vacancies, right?	21	A. Okay.	21	A. Correct.
24 exceptional education department? 24 those vacancies, right?	22	Q. And do you see the second slide	22	Q. And the bullets under there
	23	here lists challenges associated with the	23	
25 A. Yes. 25 A. Correct.	24	exceptional education department?	24	those vacancies, right?
i l	25	A. Yes.	25	A. Correct.

53 (Pages 206 - 209)

1	Page 210	1	Page 212
1	Q. The first way is: Decreased	1	Q. So that means that you received
2	capacity to provide services. The second is:	2	more students requiring students from the
3	Workload is increased for current staff. The	3	exceptional education department, then,
4	third is: Quality of services is decreased	4	correct?
5	due to large workload/burnout. The fourth	5	A. Correct.
6	is: Leaves District vulnerable for	6	Q. The second is: More instances
7	complaints and lawsuits.	7	of trauma, DCS involvement, and group home
8	Correct?	8	placements.
9	A. Correct.	9	Correct?
10	Q. And this presentation is from	10	A. Correct.
11	January 2023, correct? You can look at	11	Q. So at this time, TUSD was
12	Exhibit 17 with the cover the date of the	12	seeing more students reporting trauma,
13	cover e-mail, if that helps.	13	correct?
14	A. Correct. Yes.	14	A. Correct.
15	Q. Social media is not listed as a	15	Q. And those students required
16	challenge on this slide, correct?	16	more assistance from TUSD?
17	A. Correct.	17	A. Correct.
18	Q. And defendants' platforms are	18	Q. And TUSD was also seeing more
19	not listed as a challenge on this slide,	19	students being placed in group homes, right?
20	correct?	20	A. Correct.
21	A. Correct.	21	Q. What are group homes in this
22	Q. Then the next slide lists	22	context?
23	solutions to the challenges, correct?	23	A. Group homes are places where
24	A. Correct.	24	there are staff who are supporting students.
25	Q. One of the solutions is	25	And they're placed in group homes because
	Page 211		Page 213
1	increase compensation for teachers and	1	
2	teaching assistants?	2	home where either DCS is involved and is
3	A. Correct.	3	revoking that privilege of a parent at the
4	Q. Another one is increase	4	time.
5	professional development opportunities?	5	We also have group home
6	A. Correct.	6	placements by the parent who's saying,
7	Q. Social media is not mentioned	7	there's something going on with either my
8	on this slide either, correct?	8	child's behavior, health, that I'm unable to
9	A. Correct.	9	address, or my well-being and health, and so
10	Q. And defendants' platforms are	10	I'm not in the best condition to parent at
11	not referenced on this slide, correct?	11	this time.
12	A. Correct.	12	Q. So an increase in group home
13	Q. Let's go back to Exhibit 9,	13	placements means that there are more students
14	which was the presentation titled Exceptional	14	who are facing situations where they were
15	Education Overview.	15	unable to live with their original parents or
16	If we go to slide 7,	16	guardians?
17	Exceptional Education Students in TUSD.	17	A. Correct.
18	Does this slide list trends	18	Q. The slide also lists increased
19	with respect to exceptional education	19	DCS involvement.
20	students for the 2022-2023 school year?	20	What does that mean?
	A. Yes, that's correct.	21	A. That's the Department of Child
21	71. 1 cs, that s correct.		=
1	Q. And so the first trend is:	22	Safety. And so there's a Department of Child
21		22 23	Safety. And so there's a Department of Child Safety that gets involved if there is a
21 22	Q. And so the first trend is:		= =
21 22 23	Q. And so the first trend is: Increase in enrollment by over 300 students.	23	Safety that gets involved if there is a

54 (Pages 210 - 213)

1	Page 214		Page 216
	of that claim, this organization is involved		that's allocated through a grant by the state
	with either the temporary placement family or	2	department. And so at that time, we were not
3	the family of origin.	Ι.	having as many parents wanting our services.
4	Q. And so at this time, what the	4	Therefore, we had some funding that we were
5	exceptional education department was seeing	5	not able to spend because it was earmarked
6	was an increase in situations where the	6	specifically for this population and those
7	Department of Child Safety had to get	7	services.
8	involved?	8	Q. Social media is not listed as a
9	A. Correct.	9	trend on this slide either, correct?
10	Q. The slide also lists:	10	A. Correct.
11	Greater need for specialized	11	Q. Let's go to slide 10, which is
12	services.	12	listed as or titled Challenges.
13	Correct?	13	And slide 10 appears to be a
14	A. Correct.	14	different version of the what we looked at
15	Q. And does that refer to an	15	earlier in Exhibit 18, correct?
16	increased need for specialized services to	16	A. Correct.
17	treat students with disabilities at TUSD?	17	Q. And social media is not listed
18	A. That's correct.	18	as a challenge on this slide, correct?
19	Q. And so does that mean that	19	A. Correct.
20	students, their disabilities were presenting	20	Q. Defendants' platforms are not
21	additional complexities that TUSD needed	21	listed as a challenge on this slide, correct?
22	•	22	A. Correct.
23	A. Correct. So the students'	23	Q. Slide 11 lists implications,
24	needs were exceeding our current resources or	24	correct?
25	our current school skill base or skill level	25	A. Correct.
	Page 215		Page 217
1	of the providers that we originally had.	1	Q. And these are implications of
2	Q. And decrease in private and	2	the challenges and trends you've discussed
3	parochial proportionate share services. What	3	earlier in the presentation, correct?
4	does that mean?	4	A. Correct.
5	A. So private and parochial	5	Q. The first implication is tier
6	proportionate share services has to do with	6	1, 2, and 3 support challenges.
7	funding that public schools receive in order	7	What do you understand that to
8	• •	8	mean?
9	to support students who have a disability and they are attending a private school or a	9	A. So that means the academic, the
10	parochial, like, a religious-based school.	10	attendance, or the behavior challenges that
11	And so those services are,		
	like, services from a special educator or	11 12	students are exhibiting. And so the
12	<u> -</u>		different tiers refer to the level of support
13	from a speech and language pathologist, like,	13	and resources that the students receive
14	from a social worker, any of our exceptional	14	access to.
15	education staff members who would still	15	So just seeing more challenges
16	provide the support and services to those	16	with providing the services because more
17	additional students.	17	students are qualifying in those areas for
18	Q. So if those are decreasing,	18	having that level of need.
19	does that mean that TUSD exceptional	19	Q. And the third implication there
20	education department had to provide more of	20	is higher caseloads, correct?
21	those services itself?	21	A. Correct.
22	A. So there was a decrease in the	22	Q. And that's referring to
23	requests for those services for a while from	23	increasing caseloads in the exceptional
24	the schools during that particular year.	24	education department?
25	And so there is some funding	25	A. Correct.

55 (Pages 214 - 217)

	D 210		D 220
1	Page 218	1	Q. So, at this time, there were
	Q. And towards the bottom, you see a reference to advocates and complaints,	_	Q. So, at this time, there were ten vacancies for psychologists, correct?
$\begin{vmatrix} 2 \\ 3 \end{vmatrix}$	correct?	3	A. Correct.
4	A. Correct.	4	Q. And there were four vacancies
	Q. What does that refer to?	5	
5	~	_	for licensed clinical social workers, and
6	A. That refers to exceptional	6	five vacancies for licensed master's of
7	education advocates. So these are	7	social work, correct?
8	individuals who typically either call on	8	A. Correct.
9	behalf of or attend meetings with parents	9	Q. And there were four vacancies
10	about any kind of exceptional education need.	10	for behavioral intervention specialists,
11	Sometimes advocates come to	11	correct?
12	meetings for IEPs, because they're asking for	12	A. Correct.
13	additional resources or services. Maybe	13	Q. Have shortages of psychologists
14	advocates are asking for more testing or	14	and social workers been consistent during
15	evaluations.	15	your time at TUSD?
16	Complaints refers to complaints	16	A. Shortages in psychologists,
17	that go to Arizona Department of Education,	17	yes. Shortages in social workers, no. We've
18	or complaints could go to the Office of Civil	18	been able to hire more social workers, so we
19	Rights.	19	have less vacancies in that now.
20	Q. And	20	Q. And the shortage in
21	A. Just informal complaints that	21	psychologists that you've seen consistently
22	come to, like, the exceptional education	22	during your time in TUSD, is that caused by
23	office, either to myself or an ombudsperson,	23	the national trends you were mentioning
24	Monica Ayon, or they could go to, like, an	24	earlier in your testimony?
25	assistant director. Sometimes they go to the	25	MR. CUTLER: Object to form.
1	Page 219		Page 221
	superintendent's office	1	-
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$	superintendent's office.	1	A. Right. So what we're seeing
2	Q. Was TUSD seeing an increase in	2	A. Right. So what we're seeing with our psychologists is we have an aging
2 3	Q. Was TUSD seeing an increase in these types of complaints at this time?	2 3	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and
2 3 4	Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes.	2 3 4	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer
2 3 4 5	 Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less 	2 3 4 5	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology.
2 3 4 5 6	 Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less Medicaid reimbursement, correct? 	2 3 4	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology. What we also notice is that
2 3 4 5 6 7	 Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less Medicaid reimbursement, correct? A. Correct. 	2 3 4 5 6 7	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology. What we also notice is that there are fewer students at the university
2 3 4 5 6 7 8	Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less Medicaid reimbursement, correct? A. Correct. Q. And does that mean at this	2 3 4 5 6 7 8	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology. What we also notice is that there are fewer students at the university level that stay in the Tucson area, even if
2 3 4 5 6 7 8 9	Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less Medicaid reimbursement, correct? A. Correct. Q. And does that mean at this time, TUSD in 2023, TUSD was receiving	2 3 4 5 6 7 8 9	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology. What we also notice is that there are fewer students at the university level that stay in the Tucson area, even if they go to University of Arizona. Many of
2 3 4 5 6 7 8 9	Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less Medicaid reimbursement, correct? A. Correct. Q. And does that mean at this time, TUSD in 2023, TUSD was receiving less reimbursement funding from Medicaid?	2 3 4 5 6 7 8 9 10	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology. What we also notice is that there are fewer students at the university level that stay in the Tucson area, even if they go to University of Arizona. Many of them either go to Phoenix or outside of the
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Was TUSD seeing an increase in these types of complaints at this time? A. Yes. Q. The slide also refers to less Medicaid reimbursement, correct? A. Correct. Q. And does that mean at this time, TUSD in 2023, TUSD was receiving less reimbursement funding from Medicaid? A. Yes, TUSD was receiving less reimbursement from Medicaid in 2023. Q. Let's go to the next slide titled Exceptional Education Vacancies. And, Dr. Salmon, does this slide list vacancies in the exceptional education department as of February 2023? A. That's correct. Q. And for these vacancies, that means that TUSD has an open position for which it's trying to hire candidates but can't find an appropriate candidate or an	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Right. So what we're seeing with our psychologists is we have an aging group of psychologists who are retiring and no longer working, and then we have fewer individuals who are coming into psychology. What we also notice is that there are fewer students at the university level that stay in the Tucson area, even if they go to University of Arizona. Many of them either go to Phoenix or outside of the state to work as a psychologist. So there is a difficulty with that pipeline producing enough individuals who can come to work as school psychologists. BY MR. RICE: Q. And that pipeline problem makes it more difficult for TUSD to hire psychologists? A. Correct. Q. For social workers, was there a trend of shortages previously? MR. CUTLER: Object to form.

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	Page 222	_	Page 224
_	LCSWs and then the five LMSWs, that is a	1	decrease in overall enrollment in the
2	number that was relatively consistent for '22	2	district is a decrease in funding, correct?
3	and '23. Prior to that time, I don't really	3	A. Correct.
4	have the data to support that number.	4	Q. And the second trend is an
5	I do know, like, nine vacancies	5	increase in school choice, correct?
6	at one time was certainly a higher number	6	A. Correct.
7	than we had experienced since 2020.	7	Q. And that refers or what does
8	BY MR. RICE:	8	that refer to?
9	Q. I just want to make sure I	9	A. That refers to the universal
10	understand that.	10	voucher system, so that students who
11	There was a point in time after	11	typically would go to public schools now have
12	2020 when TUSD did have nine vacancies?	12	funding to go to private schools. It also
13	A. Correct.	13	refers to additional private or charter
14	Q. And then prior to 2020, did	14	schools that have opened in Tucson in the
15	TUSD consistently, in your experience, see	15	recent years.
16	vacancies in the position of social worker?	16	Q. And that also reduces the
17	A. No, not prior to the 2020.	17	funding available to TUSD, too, correct?
18	Q. Let's go back to Exhibit 16,	18	A. Yes, that's correct.
19	which is the presentation you gave two months	19	Q. And that's because the state
20	ago titled Exceptional Education Systems and	20	funding for those students goes to the
21	Structures.	21	private schools as a voucher and it used to
22	A. Okay.	22	go to TUSD, correct?
23	Q. And I want to focus on the	23	A. Correct.
24	third slide titled Student and Staff Trends.	24	Q. And then the third trend is a
25	A. Okay.	25	decrease in early identification prior to
	Page 223		Page 225
1	Q. The third slide titled Student	1	preschool.
2	and Staff Trends.	2	What does that refer to?
3	Thank you.	3	A. So that refers to young
4	Dr. Salmon, does this slide	4	children who are under the age of 3 who have
5	show student and staff trends with respect to	5	some type of a disability. In previous
6	the alternative excuse me.	6	years, those individual children would go to
7	Does this slide show student	7	a pediatrician or to, like, a hearing
8	and staff trends with respect to the	8	•
9	exceptional education department?	9	other kind of professional who would provide
10	A. Yes, that's correct.	10	an evaluation.
11	Q. And so the first trend is a	11	And so then they would
12	decline in overall enrollment.	12	typically come to TUSD for some support in
13	Correct?	13	services at that early age, like, around 2 we
14	A. Correct.	14	have a program in Arizona that provides
15	Q. What does that refer to?	15	services. Once they are approaching their
16	A. That refers to overall	16	third year of life, then they would
17	enrollment within TUSD, so the total	17	transition over to the school district.
18	enrollment for the district.	18	It also refers to, like,
19	Q. So that means that the	19	students who are already in preschool and
20		20	they're attending, and then the preschool
	percentage of exceptional education students		
21	in the district is increasing, because the	21	student teachers are noticing that
22	overall gen ed population is decreasing,	22	students are exhibiting some developmental
23	correct?	23	delays or some other concerns. And so then
l	A That is some at	2/	there is a referred fer an avaluation of the
24 25	A. That is correct.Q. And one consequence of that	24 25	there is a referral for an evaluation or some additional support for the preschool

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	D 007		P. 22
1	Page 226 students.	1	Page 22 So they may have had a previous
$\begin{vmatrix} 1 \\ 2 \end{vmatrix}$			career. It just requires having a bachelor's
	So we were noticing that trend. Because the later interventions start, the		
3	•	3	degree and enrolling in an exceptional
4	more compounded the disability or the	4	education program, a certification program,
5	concerns are once they do enter school.	5	and then starting to teach.
6	Q. So the delay in identification	6	So we can have individuals who
7	requires TUSD to put more resources into the	7	are starting to teach while they're learning
8	early childhood identification of	8	to be an exceptional educator. So that's one
9	disabilities?	9	of the trends that we're seeing in that area.
10	A. Correct. It requires more	10	We are also seeing additional
11	resources in the identification of, and also	11	pathways to, like, for example, become a
12	the services of the students.	12	speech and language pathologist, where
13	Q. And then the fourth trend is	13	individuals could be an SLP assistant first,
14	increase in refugee students with the various	14	and then, as they're getting more on-the-job
15	educational needs.	15	training and support, then they can expand in
16	A. Correct.	16	that role.
17	Q. And what does that refer to?	17	Q. Social media is not listed as a
18	A. That refers to an increase in	18	trend on the slide, correct?
19	students from various countries coming into	19	A. Correct.
20	TUSD boundaries. And some of them may have	20	Q. And defendants' platforms are
21	never had school or may have been out of	21	not listed?
22	formalized school for a while.	22	A. Correct.
23	Some of them may have some	23	Q. Let's mark as Exhibit 19,
24	language or communication differences. Some	24	tab 16.
25	of them might have a primary language that is	25	(Whereupon, TUSD-Salmon-19,
	Page 227		
	1 age 221		Page 22
1	not spoken readily that would need	1	Page 22 Audio file, was marked for
1 2		1 2	=
	not spoken readily that would need		Audio file, was marked for
2	not spoken readily that would need translation or interpretation. Sometimes	2	Audio file, was marked for identification.)
2 3	not spoken readily that would need translation or interpretation. Sometimes it's a language that's not a written	2 3	Audio file, was marked for identification.) BY MR. RICE:
2 3 4	not spoken readily that would need translation or interpretation. Sometimes it's a language that's not a written language.	2 3 4	Audio file, was marked for identification.) BY MR. RICE: Q. And this will be an audio
2 3 4 5	not spoken readily that would need translation or interpretation. Sometimes it's a language that's not a written language. And so those are some challenges, as well as, like, some	2 3 4 5	Audio file, was marked for identification.) BY MR. RICE: Q. And this will be an audio recording from the March 4, 2025 board meeting.
2 3 4 5 6	not spoken readily that would need translation or interpretation. Sometimes it's a language that's not a written language. And so those are some	2 3 4 5 6	Audio file, was marked for identification.) BY MR. RICE: Q. And this will be an audio recording from the March 4, 2025 board
2 3 4 5 6 7	not spoken readily that would need translation or interpretation. Sometimes it's a language that's not a written language. And so those are some challenges, as well as, like, some developmental or physical disabilities. Q. And the next trend is fewer	2 3 4 5 6 7	Audio file, was marked for identification.) BY MR. RICE: Q. And this will be an audio recording from the March 4, 2025 board meeting. While we're waiting for the
2 3 4 5 6 7 8	not spoken readily that would need translation or interpretation. Sometimes it's a language that's not a written language. And so those are some challenges, as well as, like, some developmental or physical disabilities.	2 3 4 5 6 7 8	Audio file, was marked for identification.) BY MR. RICE: Q. And this will be an audio recording from the March 4, 2025 board meeting. While we're waiting for the clip to play, Dr. Salmon, the last trend on
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	Page 230		Page 232
1	department then needs to address for those	1	MR. CUTLER: Take your time.
2	students, correct?	2	[Document review.]
3	MR. CUTLER: Objection, form.	3	A. Okay.
4	A. Correct.	4	BY MR. RICE:
5	MR. RICE: Let's go ahead and	5	Q. Dr. Salmon, you presented
6	play Exhibit 19.	6	agenda item 9.3 at the February 23rd, 2021
7	[Audio played.]	7	TUSD governing board meeting, correct?
8	BY MR. RICE:	8	A. Yes. I was a co-presenter.
9	Q. Dr. Salmon, was that you	9	Q. And this agenda item concerned
10	speaking in that clip?	10	the school resource officer program
11	A. Yes.	11	recommendation committee, correct?
12	Q. And that was you speaking to	12	A. Correct.
13	the TUSD Board of Directors, correct?	13	Q. What was the purpose of that
14	A. Correct.	14	committee?
15	Q. And in that clip you mentioned	15	A. The purpose of that committee
16	the trend in the district's overall	16	was to review the effectiveness or usefulness
17	enrollment, correct?	17	of school resource officers in the Tucson
18	A. Correct.	18	Unified School District.
19	Q. You also mentioned 1 in 3	19	Q. And why did the district choose
20	students have been affected by trauma,	20	to review the school resource officer program
21	correct?	21	at this time in February of 2021?
22	A. Correct.	22	MR. CUTLER: Object to form.
23		23	A. Prior to this presentation,
_		_	=
24	refugee students who come to TUSD, correct?	24	there were some questions or some concerns
25	A. Correct.	25	about if school resource officers have a
	Page 231		Page 233
1	Q. And you said a number of those	1	place in public schools.
2	students have academic or medical needs,	2	And so there was a committee
3	correct?	3	that was reviewing feedback, as well as data
4	A. Correct.	4	on the types of instances our school resource
5	Q. You didn't mention social media	5	officers were called in to address, and the
6	as one of the trends facing the district,	6	impact of them coming in to address those
7	correct?	7	instances.
8	A. Correct.	8	And then just to give some
9	Q. And you didn't refer to	9	feedback or guidance to the governing board
10	defendants' platforms as an issue facing the	10	based on those various data points. And the
11	district, correct?	11	representation of the committee members about
12	A. Correct.	12	if it seems to be a good thing, that we want
13	MR. RICE: Let's mark as	13	to continue pursuing a grant for funding and
14	Exhibit 20, tab 26.	14	that resource allocation or if it's something
15	(Whereupon, TUSD-Salmon-20,	15	that we would want to discontinue.
16	Tuesday, February 23, 2021 Agenda for	16	BY MR. RICE:
17	Special Board Meeting, was marked for	17	Q. Who in the community expressed
18	identification.)	18	concerns about school resource officers in
19	BY MR. RICE:	19	TUSD?
20	Q. And tab 26 is the agenda from	20	MR. CUTLER: Object to form,
21	the February 23rd, 2021 TUSD governing board	21	speculation.
22		22	A. So at governing board meetings,
l	meeting.		and then there was information that was sent
23	And, Dr. Salmon, I'm going to	23	
24	specifically ask you about agenda item 9.3.	24	in e-mail or letter form. So there were
25	A. Okay.	25	members of the community. There were some

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Page 234 1 parents. There were some governing board 2 members who had questions or concerns. 3 BY MR. RCE: 4 Q. What types of concerns were 5 there? 5 there? 6 MR. CUTLER: Object to form. 7 A. So some of the concerns that 8 were expressed was about, was this really 9 taking kind of a detention lens or a 10 correction officer lens into schools? And if 11 that was the case, then what could be the 12 potential negative impact on students? 13 BY MR. RCE: 14 Q. And you were a member of the 15 committee that considered this recommendation 16 to the board? 17 A. Correct. 18 Q. And do you see there are 19 attachments to the governing board meeting, 20 correct? 21 A. Correct. 22 Q. When you reference potential negative impact on students, does that include the potential that there could be include the potential that there could be include the potential that there could be standard include the potential that there could be stafety officer went into a classroom 3 that we were noticing is that the school as faty officer went into a classroom 4 safety officer went into a classroom 5 the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just were not was not going to conform, or maybe the student just went of the negative impacts o				
2 could that negatively impact a student with a disability? 4 Q. What types of concerns were 5 there? 5 there? 6 MR. CUTLER: Object to form. 7 A. So some of the concerns that 8 were expressed was about, was this really 9 taking kind of a detention lens or a correction officer lens into schools? And if 1 that was the case, then what could be the 2 potential negative impact on students? 13 BY MR. RICE: 14 Q. And you were a member of the 2 potential negative impact on students? 15 committee that considered this recommendation to the board? 16 to the board? 17 A. Correct. 18 Q. And do you see there are 2 at a committee that considered this recommendation to the board? 18 A. Correct. 19 A. Correct. 20 Q. When you reference potential 21 negative impact on students, does that 22 negative impacts on their mental health? 21 A. So one of the negative impacts a that we were noticing is that there could be 25 negative impacts on their mental health? 22 our school resource officers and did not 5 have knowledge of a student was being oppositional or maybe the student usa being oppositional or maybe the student was being oppositional or maybe the student in was being oppositional or maybe the student pist were not was not going to 6 have knowledge of a student having a 3 are trained to extinguish the threat. And so 4 we went through some training and some more 15 information and guidance on how a student with a disability. Both the present differently 17 than a typical aged peer, to provide that 1 feer portion that typical aged peer, to provide that 1 feer portion that typical aged peer, to provide that 1 feer portion that you gave to the board? 2 our school resource officers have, as well as 1 training provide the NCI, the nonviolent crisis 1 fintervention training that I previously spoke 2 about. 2 and how to intervente 1 do not school resource officers have, as well as 1 training in disabilities and how 1 to school resource officers have, as well as 1 training and swell as 1 training and swell as 1 training and swell as	1	Page 234	1	Page 236
3 BY MR. RICE: 4 Q. What types of concerns were 5 there? 6 MR. CUTLER: Object to form. 7 A. So so some of the concerns that 8 were expressed was about, was this really 9 taking kind of a detention lens or a 10 correction officer lens into schools? And if 11 that was the case, then what could be the 12 potential negative impact on students? 13 BY MR. RICE: 14 Q. And you were a member of the 15 committee that considered this recommendation 16 to the board? 17 A. Correct. 18 Q. And do you see there are 19 attachments to the governing board meeting, 10 correct? 21 A. Correct. 22 Q. When you reference potential 23 negative impact on students, does that 24 include the potential that there could be 25 negative impacts on their mental health? 2 A. So we noticed that school 3 training sometimes went into situations of we such oal training sometimes went into situations of we went officers without the appropriate 4 nation sometimes went into situations on we supported a 4 training protocol, as well as a trainer in 9 the school safety department that could help 9 provide the NCI, the nonviolent crisis 11 intervention training that I previously spoke 12 about. 13 And so that is something that 14 our school resource officers have, as well as 15 specific training on disabilities and how 16 those disabilities and how 16 those disabilities and how 16 those disabilities and how 17 that training and without that knowledge, 28 So we want to make sure that we 29 do provide that training, because without 21 do provide that training, because without 22 that training and without that knowledge, 23 yes, the intervention 24 to the student. 25 Q. And prior to February of 2021, 26 A. So there wasn't consistent 27 the student just were not was not going to 28 concern or a campus situation and did not 29 have knowledge whe student just wasn't 29 respectively to feed the student just wasn't 21 concern or a campus situation or a campus situation and did not 29 have knowledge of a student having a 20 disability. Sometimes they may believe	l _		_	
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22 or that sensitivity to the actual students 23 who were being supported. 24 BY MR. RICE: 25 [Document review.] 26 A. Okay. 27 BY MR. RICE:	21		21	-
23 who were being supported. 23 A. Okay. 24 BY MR. RICE: 24 BY MR. RICE:	22	or that sensitivity to the actual students	22	[Document review.]
24 BY MR. RICE: 24 BY MR. RICE:	23		23	A. Okay.
25 Q. And if a school resource 25 Q. And the slide labeled Data	24		24	BY MR. RICE:
	25	Q. And if a school resource	25	Q. And the slide labeled Data

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Page 238 1 Collection, this slide describes higher 2 committee survey students, parents, and staff 3 about the school resource officers, correct? 4 A. Correct. 5 Q. And the next slide titled 6 Findings describes the findings of your 7 committee, correct? 8 A. Correct. 9 Q. And one of those findings was: 10 Student, parent, and staff experiences and 11 perceptions about the SRO program at schools 12 vary widely. 13 For some, the presence of the Page 238 1 Q. And then there were also 2 students who agreed with the last state 3 that the presence of the SRO makes maxious, correct? 4 anxious, correct? 5 MR. CUTLER: Object to for foundation. 7 A. I agree with that statement, 8 yes. 9 BY MR. RICE: 10 Q. Let's mark as Exhibit 23, 11 tab 29. 12 (Whereupon, TUSD-Salmon- 13 Student's School in 2019-2020, was	ne feel
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For some, the presence of the 13 Student's School in 2019-2020, was	
, <u>1</u>	
	as
14 SRO officer on campus can be intimidating or 14 marked for identification.)	
15 threatening, while for others it gives a 15 BY MR. RICE:	
16 sense of safety. 16 Q. And this is another attachme	ent
17 Correct? 17 to the board agenda item.	
18 A. Correct. 18 A. Mm-hmm.	
19 Q. Let's mark as Exhibit 22, 19 Q. And, Dr. Salmon, this	
20 tab 28. 20 summarizes the results of your survey	/ of
21 (Whereupon, TUSD-Salmon-22, 21 parents, correct?	
22 School Resource Officer Student Survey 22 A. Correct.	
23 Results, was marked for 23 Q. And according to slide 8, do	,
24 identification.) 24 you see that at the top of this chart, an	
25 25 14% of parents disagreed with the state	
Page 239	Page 241
1 BY MR. RICE: 1 that the presence of SROs contributes	
2 Q. And this is another one of the 2 let's see.	
3 attachments to the board agenda. 3 14% of parents disagree with	
4 And, Dr. Salmon, this 4 the statement that SROs makes my ch	
5 Exhibit 22 summarizes the findings with 5 safe, correct?	
6 respect to the student survey. Correct? 6 MR. CUTLER: I'll object.	
7 A. Correct. 7 That's 13%.	
8 Q. And you surveyed 2,448 8 A. Okay.	
9 students, correct? 9 BY MR. RICE:	
10 A. Correct. 10 Q. Approximately 13% of parer	nts
11 Q. And then in the bottom of the 11 report they disagreed with that statem	
12 second page, there are questions about 12 correct?	,
13 safety. 13 A. Correct.	
13 Safety. 14 And do you see that in the 14 Q. And approximately 15% of	
15 first question, there were students who 15 parents agreed with the third statement	nt that
	Jonett!
17 statement: Having an SRO in my school makes 17 A. Correct.	. 12
18 me feel safe. 18 Q. And approximately between	
19 Correct? 19 and 14% of parents disagreed with the	
20 MR. CUTLER: Object to form, 20 statement that SROs contribute to a sa	arer
21 foundation. 21 learning environment, correct?	
22 A. And you just said disagree. 22 A. Correct.	
23 So, yes, I see that there are some students 23 Q. You can set that aside.	
24 who disagree with that statement. 24 Dr. Salmon, do you personally	У
25 BY MR. RICE: 25 use social media?	

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	Page 242		Page 244
1	A. Yes, I do.	1	A. Yes, he has. He's listened to
2	Q. Which platforms do you use?	2	some bilingual stories. He's listened to
3	A. I use Facebook. I use I	3	or watched some educational videos that were
4	have an Instagram account. I don't really	4	science or social studies related.
5	use it.	5	Q. Have you ever complained to
6	Q. Any other platforms?	6	anyone at his school about the assignment of
7	A. YouTube.	7	YouTube videos for educational purposes?
			A. No.
8	Q. Any other	8	
9	Oh, sorry.	9	Q. Does your child watch anything
10	A. YouTube. That's pretty much	10	else on YouTube?
11	it.	11	MR. CUTLER: Object to form.
12	Q. Do you use Snapchat?	12	A. Not typically. He may have
13	A. No.	13	watched a cartoon.
14	Q. What do you typically use	14	BY MR. RICE:
15	YouTube for?	15	Q. Have you ever asked any of the
16	A. I typically use YouTube for,	16	defendants to modify any feature on their
17	like, some recipes or some craft ideas. Some	17	platforms?
18	projects. I use it for some exercises. I	18	MR. CUTLER: Object to form.
19	use it for spiritual messages. I use it for	19	A. No, I have not.
20	meditations. I use it for videos that I'm	20	MR. RICE: We can go off the
21	going to use maybe in a presentation.	21	record.
22	I also use it to record and	22	THE VIDEOGRAPHER: We are going
23	store videos of, like, some kind of	23	off the record. The time is 1:37.
24	presentation or celebration for our staff,	24	(Recess taken, 1:37 p.m. to
	and so then we post that onto our exceptional	25	1:44 p.m. MST)
	Page 243		Page 245
1	education website.	1	THE VIDEOGRAPHER: We are going
2		2	back on record. The time is 1:44.
			MR. RICE: Dr. Salmon, thank
3	, , , , , , , , , , , , , , , , , , ,	3	
4	three to four times a week.	4	you so much for your time today. I
5	Q. Does the exceptional education	5	have no further questions.
6	department use any other social media	6	THE WITNESS: Thank you.
7	platforms besides YouTube?	7	MR. CUTLER: No questions for
8	A. No.	8	me.
9	Q. Do you have children?	9	THE VIDEOGRAPHER: This
10	A. Yes.	10	concludes today's deposition. Total
11	Q. How old are your children?	11	time on the record for counsel for
12	A. I have one 7-year-old.	12	Snap is 4 hours and 24 minutes. Going
13	Q. Does your 7-year-old have a	13	off the record at 4:24 I'm sorry,
14	cell phone?	14	at 1:44.
15	A. No.	15	(Time noted: 1:45 p.m. MST)
16	Q. Does your 7-year-old use social	16	000
17	media?	17	
18	A. No.	18	
19	Q. Do they use YouTube?	19	
20	A. Not usually. Like, if we were	20	
21	doing a spiritual message or something	21	
22	together. Not independently.	22	
23	Q. Has your child ever used	23	
24	YouTube for educational purposes or as part	24	
25	of homework?	25	

62 (Pages 242 - 245)

	D 046		D 240
1	Page 246 CERTIFICATE	1	Page 248
1	CERTIFICATE		ERRATA SHEET FOR THE TRANSCRIPT OF:
2	I DEDDA A DIDDLE DDD CDD CDC	2	CASE NAME: In Re: Social Media
3	I, DEBRA A. DIBBLE, RDR, CRR, CRC,	3	DEP DATE: May 23, 2025
4	Notary Public, do hereby certify:		DEPONENT: SABRINA M. SALMON, PhD
5	That SABRINA M. SALMON, PhD, the	5	Pg. Ln. Now Reads Should Read Reason
6	witness whose deposition is hereinbefore set	-	rg. Lii. Now Reads Should Read Reason
7	forth, was duly sworn by me and that such	6	
8	deposition is a true record of the testimony	7	
9	given by such witness;	8	
10	That pursuant to FRCP Rule 30,	9	
11	signature of the witness was not requested by		
12	the witness or other party before the	10	
13	conclusion of the deposition;	11	
14	I further certify that I am not	12	
15	related to any of the parties to this action	13	
16	by blood or marriage, and that I am in no	14	
17	way interested in the outcome of this matter.		
18	IN WITNESS WHEREOF, I have	15	
19	is 27th day of May,	16	
20	is 27th day of May,	17	
		18	
21	1.1-1 1:00		
	Sibia N. Sibble	19	
22		20	
	Debra A. Dibble	21	
23	Fellow of the Academy of Professional	22	
	Reporters	23	
24	Registered Diplomate Reporter		***
	Certified Realtime Reporter	24	X
25	Notary Public 11/17/2027	25	CADDINIA M. CALMONI DLD
25	110tal y 1 dolle 11/11/2021		SABRINA M. SALMON, PhD
25	<u> </u>		SABRINA W. SALMON, FIID
	Page 247		SADRINA W. SALWON, PIID
1	Page 247 I HEREBY CERTIFY that I have read		SADRINA W. SALWON, PIID
	Page 247		SADRINA W. SALWON, PIID
1	Page 247 I HEREBY CERTIFY that I have read		SADRINA W. SALWON, PIID
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